

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 24th November 1948.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. President (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Exemption from payment of sales tax.

(a) what kinds of business done by Sri P. Balasubba for Finance be pleased to state—

(a) what kinds of business done by Sri P. Balasubba Chetti of Hospet have been exempted from payment of sales tax;

(b) whether the Government will be pleased to lay on the table of the House the application preferred by him for such exemption and the orders passed thereon by the authority concerned;

(c) whether the Government have granted similar exemptions to anyone else in the district of Bellary; and if not, what the reasons are and why such exemption was specially granted to the aforesaid merchant; and

(d) whether exemption of the kind granted to Sri Pathikonda Bala Subba Chetti of Hospet, Bellary district, have been granted to any other merchants in any other districts of the Madras Province, and if so, whether the Government will be pleased to furnish a list of such persons for each district of the Madras Province?

THE HON. SRI B. GOPALA REDDI:—“(a) to (d) The attention of the hon. Member is invited to the answer furnished to Legislative Council Question No. 13—*vide* pages 40–42 of the printed Proceedings of the Madras Legislative Council Debates, Volume XVIII, No. 2. I may also read out the answer which was given some time ago:—

“The fact whether commission collected from sellers and buyers is subject to sales tax will depend on the question whether the particular merchant is treated as a “dealer” and assessed to sales tax or not.”

SRI B. BHIMA RAO:—“What are the special reasons, Sir, why this gentleman was granted exemption from the payment of sales tax?”

THE HON. SRI B. GOPALA REDDI:—“There is nothing like grant of exemption to any particular merchant. The question is whether he is a commission agent or not. Each transaction will be considered on its own merits. If the

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transactions of this merchant are considered to be those of a dealer, then he will be subject to sales tax. There is nothing like exemption here."

SRI B. BHIMA RAO :—" Sir, what is the provision of the Sales Tax Act under which he applied for exemption and the Board of Revenue granted exemption? "

THE HON. SRI B. GOPALA REDDI :—" No exemption is given. It is only a question of the Commercial Tax Officer going into the transactions of each individual merchant to see whether they are dealer's transactions or agent's transactions. If the Officer considers they are dealer's transactions, then he levies the usual tax."

SRI R. SURYANARAYANA RAO :—" Sir, it seems to me that there is a misunderstanding regarding the interpretation of the words 'dealer' and 'commission agent'. I remember the Hon. Minister promised to have this question examined last time. May I know whether it has been examined? "

THE HON. SRI B. GOPALA REDDI :—" Sir, the Sales Tax Advisory Committee went fully into the question in consultation with the representatives of the commission agents in the City and the mufassal. They have come to some conclusions which will be incorporated in the rules. I may also say that the commission agents are satisfied with the amendments. When they are put into practice, much of this difficulty will not arise."

SRI B. BHIMA RAO :—" May I know, Sir, whether any other person has been granted similar exemption anywhere in the Presidency? "

THE HON. SRI B. GOPALA REDDI :—" Nobody applied for exemptions and no exemptions are given. Each individual transaction will be gone into by the Commercial Tax Officer concerned."

SRI B. NARAYANASWAMI NAYUDU :—" With reference to clause (b), was any application for exemption received from this merchant? "

THE HON. SRI B. GOPALA REDDI :—" No, Sir."

Cases preferred by commission agents of Adoni.

* 121 Q.—SRI B. BHIMA RAO : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the merchants doing commission business in Adoni of Bellary district filed suits against the Government of Madras in the District Munsif's Court of Bellary and obtained decrees to the effect that they are not liable to pay sales tax under the Madras Act IX of 1939;

(b) whether the Government of Madras preferred appeals against the said decrees to the District Judge of Bellary and whether he dismissed the appeals;

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(c) whether the District Judge of Bellary has held that realizations of Dalali and other incidental charges from both sellers and buyers does not amount to infringement of the terms of the licence under section 8 of the Act;

(d) whether the merchants of Bellary doing commission business in the same manner were prosecuted for non-payment of the tax and the sales tax realized from them under the threat of prosecution;

(e) whether notices have been issued by the commission agents of Bellary demanding refund of the taxes paid by them, and if so, whether the Government have decided to refund the same to the merchants; and

(f) whether the Commercial Tax Officers are realizing sales tax from Dalali merchants of Hospet town as well as other places in Hospet subdivision?

THE HON. SRI B. GOPALA REDDI :—“(a) Out of 64 commission agents in Adoni who were assessed to sales tax, four filed suits and obtained decrees in their favour.

“(b) Appeals were preferred on behalf of the Government and they were dismissed by the District Judge, Bellary.

“(c) Yes.

“(d) The District Judge dismissed the Government appeals mentioned in clause (b) on 19th July 1948. Certain prosecutions had been launched before that date and been withdrawn on payment of tax.

“(e) Eight notices of suit under section 80 of the Code of Civil Procedure have been received from the commission agents of Bellary demanding refund of the taxes paid by them. Three suits were filed in the Court of the District Munsif of Bellary of which two were decided against the Government and one in favour of the Government. No decision to refund the tax has been taken; the decision in each case will depend on the award of the court.

“(f) Dalali merchants of Hospet and of other places are being assessed to tax in accordance with the provisions of the Act.”

SRI B. BHIMA RAO :—“Is the Hon. Minister aware that the business transacted by the commission agents in Bellary and Hospet is the same as that transacted by the commission agents in Adoni?”

THE HON. SRI B. GOPALA REDDI :—“I do not accept it. Each merchant's transactions will be gone into. The way in which he keeps his accounts, the way in which he pays his commission from the buyer and the seller—all these will be gone into by the Commercial Tax Officers and orders passed by him.”

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SRI B. BHIMA RAO :—“ Sir, was not a stereotyped order passed by the Commercial Tax Officer in the cases of commission agents of Bellary to the effect that they have infringed section 8 of the Sales Tax Act? ”

THE HON. SRI B. GOPALA REDDI :—“ It may be that when the officer is convinced that they are not all of them commission agents but dealers, he may send a stereotyped order under section 8 of the General Sales Act that they are subject to sales tax. If the merchants are aggrieved they may appeal to the Board of Revenue; if they are still aggrieved they can go to a court of law, as has been done in many cases in Bellary district.”

SRI B. BHIMA RAO :—“ My point is that the business done by the commission agents of Hospet and Bellary is on the same lines as that done by the commission agents of Adoni and there is absolutely no difference whatsoever.”

THE HON. SRI B. GOPALA REDDI :—“ There will be some little difference in the way they maintain their accounts. The aggrieved parties may take the matter to the proper quarters.”

SRI B. BHIMA RAO :—“ Is it not the duty of the Hon. Minister to have an enquiry made into the matter? ”

MR. PRESIDENT :—“ If the hon. Member has any particular grievance, he may put it in writing to the Hon. Minister and ask him to take action.”

SRI B. BHIMA RAO :—“ The public opinion in Bellary is that the Adoni merchants are treated differently from the merchants of Bellary and Hospet. This invidious distinction must not be made by the Government. That is why I have put this question.”

MR. PRESIDENT :—“ If you want anything to be done, you must ask the Hon. Minister to look into it.”

SRI B. BHIMA RAO :—“ I would request the Hon. Minister to see if the cases are not all similar and if similar treatment should not be accorded to the commission agents of all the places.”

THE HON. SRI B. GOPALA REDDI :—“ My difficulty is this. The Board of Revenue is a statutory authority under the Act. Their orders are final. The Government have no powers to revise or amend any of their orders. It is open to the aggrieved party to go to a court of law and get redress. The distinctions made in certain localities in the same district may be due to different constructions placed on the rules by the officers concerned. Here also it is up to Board of Revenue to see that equal justice is done to all the localities in the district and in the Province.”

SRI B. BHIMA RAO :—“ Sir, have the Government preferred any appeal to the High Court against the judgment of the District Judge of Bellary? ”

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THE HON. SRI B. GOPALA REDDI :—“ We preferred an appeal to the District Judge in this case and that was dismissed. I do not know whether any appeal has been preferred to the High Court from the judgment of the District Judge.”

SRI B. BHIMA RAO :—“ Has a similar appeal been preferred to the High Court against the judgment of the District Judge of Ellore? ”

THE HON. SRI B. GOPALA REDDI :—“ Yes, Sir.”

SRI B. BHIMA RAO :—“ Sir, are the Government taking any action to expedite the disposal of the cases by the High Court so that there may be uniformity of treatment in regard to all the commission agents throughout the Province? ”

MR. PRESIDENT :—“ I do not know what you would like the Hon. Minister to do.”

THE HON. SRI B. GOPALA REDDI :—“ It is for the High Court to dispose of their cases as expeditiously as they can. They may have their own difficulties.”

Recommendations of the Rayalaseema Co-operative Enquiry Committee.

* 122 Q.—**SRI C. N. MUTHURANGA MUDALIYAR** : Will the Hon. the Minister for Local Administration be pleased to state—

(a) what action the Government have taken on the main recommendations of the Rayalaseema Co-operative Enquiry Committee; if no action has been taken so far, whether the Government propose to take any action at all;

(b) what interests are represented by the Members constituting the Committee;

(c) whether it is a fact that both the Provincial Co-operative Bank and the Provincial Land Mortgage Bank are opposed to the two main recommendations of the Committee, viz., (1) Abolition of Primary Land Mortgage Banks and District Central Banks, and (2) Introduction of limited liability in village credit societies; and

(d) what the cost to the Government is on account of the appointment of this Committee?

THE HON. SRI K. CHANDRAMOULI :—“ (a) to (d) The answer is printed and placed on the table of the House.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ May I know whether the Directors of the Provincial Co-operative Bank and the Land Mortgage Bank are opposed to the recommendations of the Committee? ”

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THE HON. SRI K. CHANDRAMOULI:—"I have answered the question in clause (c). They have expressed themselves against the abolition of Primary Land Mortgage Banks and District Central Banks."

SRI C. N. MUTHURANGA MUDALIYAR:—"About the abolition of unlimited liability, have these directors expressed themselves against it?"

THE HON. SRI K. CHANDRAMOULI:—"The Government are not aware of their views on this question."

SRI C. N. MUTHURANGA MUDALIYAR:—"Sir, have any of these directors been members of any limited liability company so far?"

THE HON. SRI K. CHANDRAMOULI:—"I do not know, Sir."

SRI R. SURYANARAYANA RAO:—"Sir, have the Government called for the opinion of the Provincial Co-operative Bank with regard to the difficulties of the continuance of this unlimited liability and the change of unlimited liability into limited liability?"

THE HON. SRI K. CHANDRAMOULI:—"As far as my knowledge goes, we have not asked the Provincial Bank or any other bank for their opinion."

Recommendations of the Committee on the medium of instruction.

* 123 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government are in receipt of the report of the Committee on the medium of instruction appointed by the Government of India;

(b) what the recommendations of the Committee are; and

(c) what action this Government propose to take on those recommendations?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) Yes.

"(b) A copy of the recommendations is placed on the table of the House.

"(c) The recommendations will be duly examined."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the summary of the recommendations contain all the recommendations of the Committee or something has been left out? I ask this, because in the report as it appeared in the Press and to which also the Hon. Minister referred to in his reply yesterday it is stated as follows:—

"The principle of teaching through the mother tongue then is of general application, but practical considerations suggest two

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limitations. In the first place the principle applies mainly to the first aspect of primary education, to the group of children at the junior basic stage, because at this stage of compulsory education

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ I am afraid, Sir, there is a confusion in the mind of the hon. Member. He is referring to the resolution of the Government of India. The hon. Member's question refers to the report of the Committee on the medium of instruction appointed by the Government of India. The press report he is reading from is the resolution on the medium of instruction issued by the Government of India. He is slightly confusing the two.”

SRI R. SURYANARAYANA RAO :—“ In answer to clause (c) ^{11-15 a.m.} of the question where I asked the Government to state what action they propose to take on those recommendations, may I know whether the Government are not bound to carry out the resolution of the Government of India or the recommendations of the Committee? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ We are not bound to carry out any recommendations of the Committee; of course, this Government will consider whatever is in the best interests of this Province. I want to point out to him the confusion that is in his mind. What he was reading was not the report of the Committee on the medium of instruction appointed by the Government of India, but the resolution of the Government of India. It is only a copy of the recommendation of the Committee which he wanted to be placed on the table of the House and that has been done.”

SRI R. SURYANARAYANA RAO :—“ But in (c) I ask what action the Government propose to take on those recommendations? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ They are being considered.”

SRI S. B. ADITYAN :—“ Are those resolutions of the Government of India published in the *Gazette of India* on the 14th August binding on this Government? ”

MR. PRESIDENT :—“ I think the Hon. Minister has already answered it.”

Advisory Committees for admission of students in colleges.

* 124 Q.—SRI B. BHIMA RAO : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have issued any instructions to the Principals of Aided Colleges to constitute Advisory Committees with regard to admission of students into their colleges and to

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abide by such instructions as may be issued from time to time by the Government with regard to such admissions, or any other circular or communication of a similar nature;

(b) if so, to place the instructions or circulars that the Government sent on the table of the House; and

(c) whether the Government have received any replies thereto from the Principals of the Aided Colleges, and if so, to lay the same on the table of the House?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“(a) & (b) A copy “ of the G.O. No. 404, Education, dated 2nd March 1948, is laid on the table of the House. It may be observed that the Advisory Committees are only expected to advise the management, *inter alia*, on framing rules for the admission of students.

“(c) No reply is expected by the Government from the Principals of Aided Colleges. But a report has been called for from the Director of Public Instruction on the action taken by the various institutions in the matter and also on the working of the committees wherever they have been formed. This report can be expected only in December 1948.”

SRI B. BHIMA RAO :—“ Are these rules mandatory where the aided institutions are advised to follow these rules, especially, rule No. 1 mentioned in the Government Order? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ The order itself says they are advisory and there is no question of anything being mandatory. The hon. Member may read the order properly.”

SRI B. BHIMA RAO :—“ I want to know what the object is when you say ‘ framing of rules for admission of students consistent with the rules laid down by Government in this regard.’ Does the Government want that aided institutions also should follow the policy of the Government with regard to admission of students in Government colleges? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ No, Sir; In regard to certain matters, the Government have sent instructions, e.g., reservation of ten per cent for Harijan students—that has been sent to the aided institutions and the Government expect that aided institutions will fall into line in this respect. With regard to other things, it is entirely left to them to do whatever they like.”

SRI B. BHIMA RAO :—“ I put the question with reference to some of the colleges in Madras City in which admissions are made on the ground of merit and nothing else; does the Government propose to interfere with that principle? ”

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

“ Not at all; I know a college in which 200 admissions were

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made and about 150 or 160 of them belong to a certain community. The Government did not interfere and do not want to interfere with such institutions; but only with regard to the Harijan students, they have said there may be ten per cent reservation, if they are forthcoming."

Students from the Bellary district admitted into the Engineering Colleges.

* 125 Q.—SRI B. BHIMA RAO: Will the Hon. the Minister for Education be pleased to give with reference to the district of Bellary—

(a) the number of applications that were received from the said district for admission into the Engineering Colleges of the Province;

(b) the names of the students that have been admitted into the colleges together with the marks obtained by them in the Mathematics Group of the Intermediate Examination or the B.Sc. Examination; and

(c) the names of those that are refused admission and the marks obtained by them in the Mathematics Group of the Intermediate Examination or the B.Sc. Examination?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

"(a) The number of applications received from candidates of the Bellary district for admission into the Engineering Colleges is 51.

"(b) The list of those who have been selected has been published on pages 445-448 of Part I-B of the *Fort St. George Gazette*, dated 6th July 1948. Information regarding marks is not readily available.

"(c) It will not be in public interest to place these names on the table of the House and the trouble taken for the purpose will not be commensurate with the results."

SRI B. BHIMA RAO :—"Why do the Government think it will not be in the public interest to publish the information with regard to clause (c)?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

"Certain boys may not like their names and their marks published at all; their marks may be high or may be low; and simply because they have applied for admission, they won't like to be discredited before the House by their marks being published."

SRI B. BHIMA RAO :—"Is it not a fact that a student from the Bellary district who had cent per cent marks in mathematics has been refused admission in the Engineering College whereas a boy who had secured only 40 per cent in mathematics has been admitted into the College?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
"I am afraid the hon. Member is speaking only with regard

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to marks in mathematics; the marks in mathematics may be high or low, but the total marks may be less than what has been prescribed for admission."

SRI B. BHIMA RAO :—" I am speaking on reliable information; I am given to understand that a boy whose marks in mathematics was not commensurate with his marks in the other subjects has been preferred and admitted into the college while a brilliant boy who has received cent per cent marks in mathematics and good marks in other subjects also has not been admitted? "

MR. PRESIDENT :—" May I know if the hon. Member expects the Hon. Minister to have all these details about him? "

SRI B. BHIMA RAO :—" I put another question, Sir, and he was absent at the time."

MR. PRESIDENT :—" He has given his answer; if you have got any particular instance, you must bring it to his notice."

SRI B. BHIMA RAO :—" I am confining my question to Bellary district; there are two boys who have got cent per cent marks in mathematics who have not been admitted into the Engineering College? "

MR. PRESIDENT :—" I am not questioning the hon. Member's right to put his questions; but if he wants any intelligible answer from the Hon. Minister, he must bring the specific instances to the notice of the Hon. Minister. There is no use putting a general question here."

DR. V. K. JOHN :—" Can we not expect the Congress Government to do away with communal representation for admission to schools? "

MR. PRESIDENT :—" That does not arise out of this question."

THE HON. DR. T. S. S. RAJAN :—" There is no such thing as a Congress Government."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—

" From the way in which the hon. Member has been giving information, I am unable to reply to his statements. If the hon. Member will place more concrete facts before me and if there has been any injustice done to any particular student, I am always prepared to take action. The hon. Member may place concrete facts before me."

SRI B. NARAYANASWAMI NAYUDU :—" On a point of order, Sir. When the Hon. Minister said it is not in the public interest, why should it be still pursued? "

SRI B. BHIMA RAO :—" Is this not a popular Government which ought not to conceal information . . . "

MR. PRESIDENT :—" The hon. Member put the question to the Chair and not to Mr. Bhima Rao; I do not know why hon.

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Members begin to put questions to each other; we must observe some order. I am sorry this kind of thing is going on. That question was mainly intended for the Chair and for the Hon. Minister. Either the Minister or the Chair should answer that. What is it that Mr. Nayudu asked, may I know?"

SRI B. NARAYANASWAMI NAYUDU :—" When the Hon. Minister told us that it was not in the public interest to disclose the matter, why should the matter be still pursued?"

MR. PRESIDENT :—" I think Mr. Bhima Rao can ask the Minister for the reasons or how it is not in the public interest to give out the information. I do not think there is anything wrong in that. Mr. Bhima Rao may now put any more questions if he wants."

SRI B. BHIMA RAO :—" I have already put them, Sir, I have nothing more to ask."

The report of the Fruit Specialist.

* 126 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is some years since the Fruit Specialist submitted his report on the possibilities of fruit cultivation in Rayalaseema;

(b) if the answer to (a) is in the affirmative, what active steps, if any, have been taken by the Government to give effect to the Specialist's recommendations;

(c) whether recently a Soil Survey Officer was appointed to carry out soil survey;

(d) what the recommendations of the Soil Survey Officer are; and

(e) whether the Government have passed orders on the report of the Soil Survey Officer, and if so, what these orders are?

THE HON. SRI K. MADHAVA MENON :—" (a) The report of the Fruit Specialist was made in 1943.

" (b) & (c) The hon. Member is referred to the answer given to his question on 31st January 1947. The Government examined the report of the Fruit Specialist in consultation with the Director of Agriculture, Board of Revenue, etc., and as a first step they appointed in May 1946 a Soil Survey Officer in the Agricultural Department for investigating the following five areas in Bellary, Kurnool and Cuddapah districts for suitability for fruit cultivation with reference to sub-soil strata.

Bellary district.—(1) Red-soil stretches on the Ujjini-Kottur road in Kudligi taluk.

Kurnool district.—(2) Rudravaram Firka in Sirvel taluk. (3) stretch of land along the Kurnool-Giddalore road between Dignavametta and Giddalore town.

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Cuddapah district.—(4) Parts of Kodur Firka in Rajampet taluk, and (5) parts of Vontimetta Valley in Sidhout taluk.

(d) & (e) The report of the Soil Survey Officer was submitted to Government in January 1948. The recommendations of the Soil Survey Officer for each area surveyed and the action taken by the Government on the recommendations are given below :—

(1) *Kottur-Ujjini area—Bellary district.*—The soils over the great portion of this area are comparatively shallow, the water-table very low and the water brackish. In view of these conditions this area is not considered suitable for extending fruit cultivation.

(2) *Rudravaram-Sirvel area—Kurnool district.*—In Rudravaram area sufficiently deep soils for profitable fruit growing are met with. The greatest drawback to the development of the area is, however, the lack of adequate transport facilities. The Director of Agriculture has been asked to ascertain and report specifically which of the roads and bridges require improvement and what roads and bridges have to be newly constructed for the development of fruit cultivation in this area. His report is awaited.

(3) *Diguvametta-Giddalore area—Kurnool district.*—Except near Diguvametta where the soils are shallow, the soil conditions over the remaining portion of the area are favourable for fruit cultivation. The greatest drawback to the development of this area is lack of irrigation facilities, the water-table being very low. The development of this area is intimately bound up with the availability of adequate and good sub-soil water and for deciding this question trial borings will be necessary. The Government have called for detailed proposals for conducting trial borings in this area to ascertain the availability of sub-soil water for fruit cultivation. The proposals are awaited.

Kodur firka—Cuddapah district.—The conditions available in this area are very favourable for extension of the area under fruit cultivation. The Director of Agriculture has been asked to submit detailed proposals for extending fruit cultivation in this area on the lines of the recommendations made by the Fruit Specialist in his report. The Director of Agriculture's report is awaited.

Vontimetta—Cuddapah district.—There is considerable erosion in this area and stretches of good soil are nowhere extensive. Except for small areas in certain villages there are very little prospects of any large-scale extension of the area under fruits. The salient features of the report on the soil survey are proposed to be published shortly as a Press Note and also as a bulletin of the Agricultural Department. Instructions have also been issued to publish the statistical portion of the report in a suitable scientific journal of the

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Indian Council of Agricultural Research or in the departmental journals. It may also be stated that originally the Fruit Specialist in his report suggested 22 sites for the development of fruit cultivation in the Ceded districts. The question of conducting a survey of the remaining 17 sites to ascertain their suitability for development of fruit cultivation is also engaging the attention of Government and proposals in this regard are awaited from the Director of Agriculture."

DR. V. K. JOHN :—" Are any steps being taken for the development of fruit culture in other parts of the Province, particularly Malabar? "

THE HON. SRI K. MADHAVA MENON :—" Yes, Sir; the Government propose to have a fruit farm, if possible, in each district. Schemes are almost ready for attaching a fruit section to the existing agricultural farms which are now 47 in number, and almost every district will have a fruit farm."

DR. V. K. JOHN :—" When do the Government expect to implement that scheme? "

THE HON. SRI K. MADHAVA MENON :—" We expect to implement it before the end of this year."

SRI M. NARAYANA MENON :—" If the report of the Soil Survey Officer has been submitted may I know whether it has been published? "

THE HON. SRI K. MADHAVA MENON :—" I think it is being published."

Import and purchase of ammonium sulphate.

* 127 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Agriculture be pleased to state—

11-30
a.m.

(a) the amount of ammonium sulphate imported and purchased locally for distributing the manure to the ryots in 1947-48;

(b) what the estimated requirements of 1948-49 are and how they propose to meet them;

(c) what the quantity allotted is out of the quota available to mixed fertilizers firms;

(d) whether the mixed manure is allowed to be sold freely in the market and who the beneficiaries are;

(e) the firm or firms recognized as mixed fertilizer firms and the proportionate quantity of ammonium sulphate allotted to them to prepare mixtures; and

(f) whether fresh applications for allotment for the preparation of mixtures are considered favourably, and if so, whether they are treated on an equal footing and the available ammonium sulphate is distributed to them equitably?

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THE HON. SRI K. MADHAVA MENON :—“(a) The total quantity of ammonium sulphate imported by the Government of India for this Province during 1947-48 was 53,000 tons. Besides this, a quantity of 5,400 tons was supplied to the Provincial Government by Messrs. Fertilizers and Chemicals (Travancore), Limited, Alwaye.

“(b) The estimated requirements of ammonium sulphate for 1948-49 are 110,000 tons. The Provincial Government have requested the Government of India to allot the above quantity for Madras Province for 1948-49. The orders of the Government of India have not yet been received.

“(c) The quantity of ammonium sulphate distributed to manure mixing firms during 1947-48 was 9,371 tons.

“(d) The manures manufactured by the manure mixing firms are freely sold in the market at the rate approved by the Agricultural department. The beneficiaries are the ryots.

“(e) There are at present 16 recognized manure mixing firms who are allotted quotas of chemical fertilizers. Out of the 16 manure mixing firms the old six manure firms in the Fertilizer Firms Conference group were given 76 per cent of the mixture allotment for 1947-48 and the remaining 10 firms were given 24 per cent. From 1948-49 the allotments will be 60 per cent and 40 per cent respectively. The names of the manure mixing firms are given below :—

(a) *Old Firms in Conference—*

- 1 Messrs. Parry and Company, Limited, Madras.
- 2 „ Shaw Wallace and Company, Madras.
- 3 „ The Scientific Fertilizer and Company, Coimbatore.
- 4 „ The Mysore Fertilizer and Company, Madras.
- 5 „ T. Stanes and Company, Limited, Coimbatore.
- 6 „ The Nilgiris Fertilizers, Limited, Coonoor.

(b) *New Firms in Conference—*

- 7 Messrs. The Nilgiris Gowder Corporation, Limited, Coonoor.
- 8 „ The Premier Fertilizer, Limited, Tanjore.
- 9 Mr. C. Raju of Cocanada.
- 10 Messrs. The Jupiter Manure and Bone Mills, Limited, Cocanada.

(c) *Firms outside the Conference—*

- 11 Messrs. A. S. T. F. Rodriguez and Company, Katpadi.
- 12 „ The Cochin Fertilizers, Limited, Trichur.
- 13 „ The Nilgiris Co-operative Marketing Society, Ootacamund.
- 14 „ Fertilizers and Chemicals, Trichinopoly.

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15. Messrs. Hindustan Fertilizers and Bone Mills, Limited, Kuppam.

16. Messrs. The National Chemicals, Limited, Masulipatam.

(f) Fresh applications are considered in consultation with the Fertilizer Advisory Committee."

SRI S. B. ADITYAN :—" In view of the shortage of chemical fertilizers—I understood the Hon. Minister to say that the requirements were about a hundred thousand tons against an actual import of 10,000 tons—do the Government propose to encourage the manufacture of chemical fertilizers? "

THE HON. SRI K. MADHAVA MENON :—" Certainly, Sir; if anybody is prepared to start production Government will certainly consider the question of giving encouragement to them. As a matter of fact, the Government have taken a very large pecuniary interest in the Alwaye Fertilizer Factory."

The supply channel to Thenpattur tank.

* 128 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the supply channel to Thenpattur tank and Ayyampulli kolam in Kadayam village in Tirunelveli district is common;

(b) whether there was at any time dispute between ayacutdars under the tank and the owner of kolam regarding the supply of water;

(c) whether the dispute was settled by an award and the result of the award has been in force for some years;

(d) whether the owner of Ayyampulli kolam represented that the conditions of the award should be modified to ensure supply to his kolam;

(e) whether the Board of Revenue refused to interfere in the matter;

(f) whether the Government *suo motu* took up the enquiry;

(g) if the answer to (f) is in the affirmative, what the decision of the Government is; and

(h) whether such interference by the Government is in accordance with law or precedent?

THE HON. SRI KALA VENKATA RAO :—" (a) The supply channel to the Kuttalampillaikulam and Kuttikulam tanks (which are jointly called the Thenpatturkulam) and the Ayyampillaikulam and Inam Pallivasalkulam tanks in Therku Kadayam village, Tirunelveli district, is common.

" (b) There was a dispute between the ayacutdars of the Thenpatturkulam and of the Ayyampillaikulam tanks before the year 1874.

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(c) The dispute was settled by an award, called the Arundale Award, in 1874 and the award has been in force ever since. Under the award, 11 parts of the water flowing from the Vadakal, a branch of the Ramanadhi river were allotted for the Ayyampillaikulam and Pallivasalkulam tanks and eight parts for the Thenpatturkulam.

(d) The ryots under the Ayyampillaikulam tank have applied for the construction of a separate channel for the specific purpose of dividing and taking off the 11 parts of the water allotted for the Ayyampillaikulam and Pallivasalkulam tanks under the Arundale Award.

(e) No such orders were passed by the Board.

(f) The Government have taken up the examination of the case with reference to a petition received from certain ryots under the Ayyampillaikulam tank.

(g) & (h) The whole question including the legal aspects is under the consideration of the Government."

SRI R. SURYANARAYANA RAO :—" In view of the fact that award has been in force since 1874, what is the special reason for the Government taking up this enquiry afresh without even a reference to the Board of Revenue? "

THE HON. SRI KALA VENKATA RAO :—" Evidently, Sir, the people living under either of those two tanks were on amicable terms but now they want a mechanical division of the water that flows through the canal and therefore, this trouble."

Co-operative House Construction Society.

* 129 Q.—SRI S. B. ADITYAN : Will the Hon. the Minister for Firka Development be pleased to state—

(a) the towns where co-operative house construction societies have been formed; and the dates of their formation;

(b) the number of houses proposed to be built by each society and the estimated cost of the houses;

(c) the number of houses in respect of which construction has begun; and

(d) the number of houses completed by each society?

THE HON. DR. S. GURUBATHAM :—" (a) Co-operative House Construction Societies have been registered at—

(1) Madras on 20th May 1947;

(2) Tanjore on 5th July 1947;

(3) Palamcottah on 24th July 1947;

(4) Tiruchirappalli on 23rd August 1947; and

(5) Madura on 31st October 1947.

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“(b) The number of houses proposed to be constructed by the (Adyar Colony)—

(1) The Madras Co-operative House Construction Society (Adyar Colony)—

332 houses (165 A Class, 89 B Class and 78 C Class);

(2) The Tanjore Co-operative House Construction Society—
61 houses (12 A Class, 10 B Class and 39 C Class);

(3) The Madura Co-operative House Construction Society—
211 houses (45 A Class, 53 B Class and 113 C Class);

(4) The Palamcottah Co-operative House Construction Society—

190 houses (21 A Class, 47 B Class, and 122 C Class);

(5) The Tiruchirappalli Co-operative House Construction Society has not yet secured any site—

The estimated cost of the A, B, and C Class houses are Rs. 15,000, 10,000 and 5,000 respectively. The estimates are slightly higher in the cases of houses to be constructed by the Madras Society.

“(c) Construction has begun in the case of 75 houses in Gandhinagar, Adyar. Other societies have not yet commenced actual construction of houses.

“(d) No house has so far been completed by any society.”

SRI S. B. ADITYAN :—“ May I know the reasons why so few houses have been started or completed in spite of the societies having been formed one-and-a-half years ago? ”

THE HON. DR. S. GURUBATHAM :—“ The non-availability of material and labour and the increased cost of building have been responsible for the delay.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ May I know whether the building societies allot sites to houseless people or even to people who own houses? ”

THE HON. DR. S. GURUBATHAM :—“ It is generally allotted to people who have no houses.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ Do the Government propose to allot sites to house owners also? ”

THE HON. DR. S. GURUBATHAM :—“ Under the existing conditions, the Government will consider that question also.”

DR. V. K. JOHN :—“ May I know, Sir, what is the minimum cost of a building? ”

THE HON. DR. S. GURUBATHAM :—“ Rs. 5,000.”

DR. V. K. JOHN :—“ Do the Government think that the poor people who have no homes can afford to spend Rs. 5,000 on a building? ”

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THE HON. DR. S. GURUBATHAM :—“ They were not intended for the poor people; there should be another scheme for them.”

DR. V. K. JOHN :—“ Have the Government any scheme under contemplation for the construction of houses costing a few hundreds of rupees? ”

THE HON. DR. S. GURUBATHAM :—“ Yes, Sir. It is under contemplation.”

DR. V. K. JOHN :—“ Have any steps been taken in pursuance of that contemplation? ”

THE HON. DR. S. GURUBATHAM :—“ Steps are being taken.”

DR. V. K. JOHN :—“ When do the Government expect the first house under that scheme being completed? ”

THE HON. DR. S. GURUBATHAM :—“ As early as possible, perhaps within the next two or three months.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ May I know, Sir, how many people who possessed houses and lands have been allotted houses-sites by these building co-operative societies? ”

THE HON. DR. S. GURUBATHAM :—“ I suggest a separate question may be put.”

SRI S. B. ADITYAN :—“ Is it a fact, Sir, that the present policy of the Government is to discourage construction of A and B Class houses? ”

THE HON. DR. S. GURUBATHAM :—“ The policy is not to grant big loans for A Class houses.”

DR. V. K. JOHN :—“ Have the Government any idea of the homeless people in Madras City? ”

THE HON. DR. S. GURUBATHAM :—“ Yes, Sir; they are in our minds.”

DR. V. K. JOHN :—“ Have they any idea of the number—whether it is tens of thousands, or thousands or a few hundreds—of homeless people sleeping on the pavements in the City? ”

THE HON. DR. S. GURUBATHAM :—“ There is no statistics taken yet, Sir.”

MR. PRESIDENT :—“ Could it not be arrived at from the recent enumeration? ”

DR. V. K. JOHN :—“ Would the Government take statistics? ”

THE HON. DR. S. GURUBATHAM :—“ We shall consider that question.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Have the Government passed any orders that house-sites should not be allotted to those who already possess houses? ”

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THE HON. DR. S. GURUBATHAM :—“ No, Sir.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Will the Government be pleased to pass an order hereafter that house-sites should not be allotted to people already owning houses? ”

THE HON. DR. S. GURUBATHAM :—“ The question has to be considered.”

SRI R. SURYANARAYANA RAO :—“ In view of the fact that members of co-operative societies for house building are entitled to take loans from the societies, will the Hon. Minister consider the desirability of prohibiting members who already own houses from getting loans from the societies? ”

THE HON. DR. S. GURUBATHAM :—“ That question will be considered; that is the general policy of the Government.”

SRI S. B. ADITYAN :—“ Were the estimates of the cost of houses raised on account of the great delay which occurred? ”

THE HON. DR. S. GURUBATHAM :—“ Yes, Sir. New estimates had to be prepared.”

Alleged disturbance in the Stanley Medical College.

* 130 Q.—**SRI B. BHIMA RAO :** Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the male students of the Stanley Medical College got drunk on the Independence Anniversary Day, namely, 15th August 1948, in the hostel attached to the said college;

(b) whether they behaved in a disorderly manner towards the lady students of the college;

(c) whether any action was taken by the Principal of the college to prevent or stop such drinking and the causing of nuisance to the lady students; and

(d) whether the Government have taken any action with regard to the incidents that happened in the hostel on that day; and if so, in what direction?

THE HON. SRI A. B. SHETTY :—“ (a) & (b) The hostel students of the Stanley Medical College had a dinner in the college hall on the Independence Anniversary Day and no alcoholic drink was allowed or served with the dinner. The Principal and the staff of the College were present with their families; no disorderly behaviour of any kind was brought to the notice of the Principal;

“ (c) & (d) Do not arise.”

SRI B. BHIMA RAO :—“ May I know, Sir, whether any drinks were taken by any of the students on that day, the 15th August 1948? ”

MR. PRESIDENT :—“ Which drinks do you mean? ”

SRI B. BHIMA RAO :—“ Drinks which will make a person intoxicated and make him dance.”

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THE HON. SRI A. B. SHETTY :—“ I have already answered that question.”

MR. PRESIDENT :—“ Yes, no alcoholic drinks were served.”

SRI B. BHIMA RAO :—“ Were not alcoholic drinks served on the occasion of that dinner on the night of the 15th August 1948? ”

MR. PRESIDENT :—“ No alcoholic drinks might have been served at the dinner but still they might have taken them themselves.” (Laughter.)

THE HON. SRI A. B. SHETTY :—“ No medical examination of the students was made on the occasion to find whether anyone was drunk and there was no need for any such examination ; there was no disorderly behaviour of any sort.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Does the Hon. Minister mean, Sir, that alcoholic drinks might have been taken but that there was no disorderly behaviour? ”

THE HON. SRI A. B. SHETTY :—“ No drinks were served on the occasion and there was no disorderly behaviour ; that is what I have said.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ The question is whether those people were found in a state of drunkenness.”

THE HON. SRI A. B. SHETTY :—“ No, Sir.”

Manufacture of power alcohol.

* 131 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Industries be pleased to state what steps the Government propose to take to encourage the manufacture of power alcohol especially in view of the reported short supply of petrol?

THE HON. SRI H. SITARAMA REDDI :—“ The Government have examined the question of developing the power alcohol industry in this Province and consider that the manufacture of power alcohol from molasses is possible and desirable. The Government of India have been addressed to allocate five units for this Province for manufacturing about 20 lakhs gallons of power alcohol per annum. In the mean time the question of selecting suitable agencies who should be permitted to start power alcohol factories and the places where these factories should be located, is being examined.”

[Note.—An asterisk (*) at the commencement of a speech indicates ‘revision’ by the Member.]

II.—MOTION FOR ADJOURNMENT OF THE BUSINESS OF THE HOUSE.

MR. PRESIDENT :—“ Does the hon. Member (Mr. Farookhi) desire to make his motion? ”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Yes, Sir.”

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MR. PRESIDENT :—“ I have received notice of motion for adjournment of the business of the House from Mr. Farookhi. Here is the motion :

‘ I beg to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the rise in fares of the state-owned buses in the City.’

So far as the Chair is concerned, the motion is in order. Has the hon. Member the leave of the House? ”

THE HON. SRI B. GOPALA REDDI :—“ I have no objection.”

THE HON. DR. T. S. S. RAJAN :—“ I have no objection.”

MR. PRESIDENT :—“ I fix 4 p.m. to-day for the discussion of the motion.”

GOVERNMENT MOTION.

III.—MOTION UNDER RULE 17 OF THE MADRAS COUNCIL RULES.

THE HON. DR. T. S. S. RAJAN :—“ Mr. President, I move—

‘ That rule 17 of the Madras Legislative Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 24th November 1948.’ ”

MR. PRESIDENT :—“ The question is that rule 17 of the Madras Legislative Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 24th November 1948.”

DR. V. K. JOHN :—“ We are in the midst of a Bill and I do not propose to oppose this motion. But I think that the Leader of the House will indicate to us what other day he will allot to us for the transaction of non-official business as to-day has been taken up for the transaction of official business.”

THE HON. DR. T. S. S. RAJAN :—“ It is not possible to say with any definiteness. I shall try my best to allot it as soon as Government business is over.”

MR. PRESIDENT :—“ We have notice of 69 amendments of which we have finished 28 and only forty remain to be disposed of. Within two days we shall be finishing the Bill; why not we have a non-official day after this Bill is over. To-morrow evening, we may finish this Bill and we can have the non-official business on the 26th.”

THE HON. SRI K. MADHAVA MENON :—“ Sir, there is the Madras Agriculturists' Relief (Amendment) Bill. It is very urgent and necessary that it should be passed soon. It should not be further delayed. Moreover, the question of giving retrospective effect is also there. Therefore, it should be finished soon.” 11-45 a.m.

MR. PRESIDENT :—“ What time will it take? ”

THE HON. SRI K. MADHAVA MENON :—“ Sir, it will not take more than one day. It took only one day in the other House.”

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THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ Sir, the Madras Public Libraries Bill is also there. It will not take more time. It can be finished within two hours.”

MR. PRESIDENT :—“ The whole point is that the Government are anxious to get through their official business. But non-official day comes once in a blue moon. It is a long time since we had a non-official day. Further the Hindu Bigamous Marriages Bill also should be passed. Yesterday, Sri Kaleswara Rao and Mrs. Ammanna Raja came to me and requested that that Bill should be introduced to-day. I think, Government are also anxious that that Bill should be passed. So, may I request the Government whether they have any objection to allot a day for non-official business to discuss the Bill.”

THE HON. SRI K. MADHAVA MENON :—“ Sir, the hon. Leader of the Opposition was telling that we would be able to finish the Zamindari Bill to-day. In which case, other Government business will not take more than one day and a half. Sri Kaleswara Rao's Hindu Bigamous Marriages Bill will certainly come. We want to finish the whole business before the 26th.”

MR. PRESIDENT :—“ In that case, let the Government give an indication as to how long they are prepared to sit.”

THE HON. DR. T. S. S. RAJAN :—“ The Opposition wanted to discuss the food situation in the Province and the control of cloth.”

MR. PRESIDENT :—“ I will look into them later on. But what I want to know is how long would the Government be prepared to sit.”

THE HON. DR. T. S. S. RAJAN :—“ Sir, it all depends upon the passage of the present Bill now before us.”

MR. PRESIDENT :—“ Have you got any other business?”

THE HON. DR. T. S. S. RAJAN :—“ Sir, we must rise on the 27th.”

MR. PRESIDENT :—“ Why?”

THE HON. DR. T. S. S. RAJAN :—“ Sir, some of us will have to go to Delhi in connexion with the Constituent Assembly meeting.”

DR. V. K. JOHN :—“ Sir, I suggest that after the passage of the Zamindari Bill, we shall have a non-official day.”

MR. PRESIDENT :—“ To-day is 24th. As it is, we may finish the Bill to-morrow. The other Bills can be finished on the 26th. On 27th, we shall have the non-official day.”

* MRS. MONA HENSMAN :—“ Sir, I wish to bring to the notice of the House that, on the 27th of this month, the Maharani of Bhavanagar is opening the All-India Women's Conference.

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On that occasion, we propose to congratulate the Government on their having passed the Hindu Bigamous Marriages Bill. At present we can only congratulate the Legislative Assembly on this measure, so we want to do it this year at the Conference and not wait till the next year. It would make a very great difference to us if we could have the non-official day on Friday, the 26th and have the Bill passed; also many women who are interested in the Bill would like to be here if Friday is a non-official day. I would be grateful if you could be kind enough to fix the non-official day on the 26th."

MR. PRESIDENT:—"You want the non-official business on Friday, the 26th."

MRS. MONA HENSMAN:—"Yes, Sir."

MR. PRESIDENT:—"Here is a request from the fair sex. I do not think you will deny it."

THE HON. DR. T. S. S. RAJAN:—"Sir, the ladies seem to be very active in this matter. This morning a big gathering of ladies was present in my house and they requested me to fix a non-official day for the Bill. I had no other choice but to accede to their request. If the hon. Member particularly wants it on the 26th, I think we can have it on the 26th."

MR. PRESIDENT:—"Yes, we shall have non-official business on the 26th. The question is—

'That rule 17 of the Madras Legislative Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 24th November 1948'."

The motion was carried.

GOVERNMENT BILL

IV.—THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) BILL, 1947 (L.A. BILL No. 37 OF 1947)—*cont.*

MR. PRESIDENT:—"Mr. Suryanarayana Rao may now move his amendment to clause 10."

SRI R. SURYANARAYANA RAO:—"Sir, I do not propose to move it."

MR. PRESIDENT:—"The question is that Clause 10 do stand part of the Bill."

The motion was carried.

Clause 11.

* DR. V. K. JOHN:—"Sir, we are all anxious to finish this Bill soon. So we shall co-operate in cutting short our speeches."

"Sir, this is a very important amendment which I seek to move. Clauses 11, 12, 13 and 14 deal with the grant of pattas and I am seeking to omit those clauses and substitute another clause. Clauses 11, 12, 13 and 14 provide for the grant of pattas

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either to the ryot as defined in the Estates Land Act—whether he is an intermediary or actual cultivator—or to the landholder. Now, Sir, my amendment is—

“Substitute the following for clauses 11, 12, 13 and 14 :—

‘All persons whether landholder, ryot or any other person in actual possession and cultivation of any plot of land in an estate, shall, with effect from the notified date, be entitled to a ryotwari patta in respect of such plot of land.’”

MR. PRESIDENT :—“What about the man who cultivates and gives *waram*? Do you also include him?”

* DR. V. K. JOHN :—“What I am seeking to see is that pattas should be issued not to an intermediary—whether he is a landholder or a ryot—but to the actual cultivator of the soil. It may be that a large number of landholders and ryots are actual cultivators. My amendment will not affect them in the least. My amendment will only touch those persons who are intermediaries and not actual cultivators of the soil. Sub-tenants will have the right to get pattas.

“Now, Sir, this is a very important amendment from one point of view. It implements the Election Manifesto and the Resolution of the Congress Working Committee. In introducing this Bill originally, the Hon. Revenue Minister, in his Statement of Objects and Reasons, said: ‘In the election manifesto which the Working Committee of the Congress issued in December 1945, it was urged that the reform of the land system was urgently needed in India. The Working Committee pointed out that such reform involved the removal of *all* intermediaries—I am emphasizing the word “all”—between the peasant and the State and that the rights of such intermediaries should be acquired on payment of equitable compensation.’ I am not against paying equitable compensation to the intermediaries. But what I am only pointing out is whether it is not necessary to implement the Congress Working Committee’s decision to remove all intermediaries between the peasant and the State. And this can be achieved by substituting my amendment in the place of clauses 11, 12, 13 and 14.

“Now, Sir, I am moving this amendment not only because the Congress Working Committee decided that all intermediaries between the peasant and the State should be removed but also it is an accepted principle that the object of any agrarian reform is to get the largest output from the land and that can be got only when we encourage the actual cultivator and not the intermediary. It is in acceptance of that principle that the Congress High Command decided that all intermediaries should go.

“When I raised this question earlier in the discussion, the Hon. Revenue Minister said that he intends to bring in another Bill to remove all intermediaries. But we know, Sir, how long

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that Bill will take. I have asked the Premier and other friends in the Government to introduce a Black-market Bill, a Bill to prevent black-marketing. It appears that it is being dropped although it is so urgently needed. Therefore, instead of introducing a separate Bill later, why not you include this clause in the present Bill which will implement the resolution of the Congress Working Committee. If this amendment is accepted, we do not want another piece of legislation to remove intermediaries between the peasant and the State.

"I want to say one word more before I conclude. Democratic form of Government has got many advantages; but it has two disadvantages. One is that a democratic form of Government always tries to please and assist those that put them into power. It would appear that the influential section of the public which put the present Government into power are the rich intermediaries of the Province. Now, Sir, in the present Bill, Government are trying to assist them. I ask the question when you acquire rights of the zamindar and inamdar, why should you not acquire the rights of the other intermediaries?"

MR. PRESIDENT:—"I was under the impression that the result in the Congress elections of 1937 and 1946 was otherwise; that the rich people found their level."

* DR. V. K. JOHN:—"That is true. Any way, the Congress High Command decided as early as 1945 to remove all intermediaries."

MR. PRESIDENT:—"That is a different matter."

* DR. V. K. JOHN:—"I am only on that. I am not concerned with the influence of the Birlas and Tatas. I feel the Congress High Command is anxious for the promotion of the welfare of the common man. What I am suggesting is, that the Government which is in power should not try to help those who put them into power. So, let us now carry out the principle which ought to underlie all agrarian reforms and see that there are no intermediaries at all. Another weakness of democratic Government is the Whip or the control exercised on members of the Legislature not to vote as they, in their conscience feel, but to vote according to the Whip of the party. These are the two disadvantages in a democratic Government. If only this Bill was left to be voted according to every man's desire, without the Whip compelling the members to vote in a particular way, this Bill would have been thrown out. Because when I listened to the speeches from the other side when the Bill was moved for consideration I found several members on the other side were against the passing of this Bill. Now, my final appeal to the Hon. Revenue Minister is"

MR. PRESIDENT:—"I am sure it is not the final appeal."
(Laughter.)

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* DR. V. K. JOHN :—“ Well, Sir, you are always a prophet and I am not. (Laughter.) I make this appeal, and I make it in all humility, let us have a free vote on this clause and this amendment. Let the public know that the amendment which I am now moving is supported by all the hon. Members of the Congress Party of this House not on account of the Whip but on account of their feeling that they would like to help not the intermediary but the actual cultivator, so that when they next go to the electorate, the cultivating tenant may know who is his friend and who is not.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ I second it.”

* SRI R. SURYANARAYANA RAO :—“ Sir, I rise to support the amendment, and I do so without any hesitation. Sir, what is the purpose of this amendment? The purpose is a person who is in actual possession and cultivating the land should be given the undisputed right to cultivate and enjoy the fruits of his labour by obtaining ryotwari patta in respect of such plot of land. We do not differentiate whether a man who is in actual possession and cultivating the land is known as a landholder or a ryot or any other person. We would like to deal with him only as the actual cultivator, i.e., one who is actually cultivating the land and he should be given the ryotwari patta so that he may pursue his occupation and produce more and assist the Grow More Food Campaign. The clause which the Hon. Minister for Revenue proposes to introduce recognizes different classes of persons entitled to ryotwari patta. By this amendment it is proposed to recognize only one class of person who is entitled to receive ryotwari patta, namely, the actual cultivator. Sir, I am not surprised that the Hon. Minister for Revenue believes that there should be different kinds of persons entitled to ryotwari patta. Sir, in his broadcast speech the other day, he said, the question of giving a greater share of the profits to the cultivating tenant has to be considered and the relationship of the cultivating tenant and the non-cultivating pattadar should statutorily be defined. And later on in the same broadcast speech he said that he was anxious that a greater share of the profit should be made available to the cultivating tenant. We want to go much further. All those who are in actual possession and are cultivating land should be given ryotwari patta. Sir, our ideologies differ here.”

MR. PRESIDENT :—“ I heard your anxiety was to give patta to the actual cultivating tenant. But you should also know the frame of the Bill is such that compensation should be provided for the man who is supposed to own land. Do you want compensation to be paid to such man?”

* SRI R. SURYANARAYANA RAO :—“ We have provided for compensation in our amendment Nos. 65 and 66. This is only a preliminary amendment and the others that will follow are

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consequential amendments. Therefore I feel that in order to carry out the pledge made in the Congress election manifesto, to which reference has been made times without number, this amendment should be adopted, though the Hon. Revenue Minister gave a different interpretation to the term 'intermediaries.' But as English language stands to-day, and as we read and understand it, the term 'intermediaries' means all those who are between the landholder and the actual cultivator. Sir, as this is a theme on which we have spoken so much already I do not wish to take up the time of the House on it. But, I feel this is a fundamental question, and if this amendment is not accepted, then, certainly the scheme as laid down by the Hon. Revenue Minister is, from his point of view, the best scheme. With these words I support the amendment."

MR. PRESIDENT :—"Why not wait till he brings the other legislation?"

* SRI R. SURYANARAYANA RAO :—"I have been pressing, why create a system which you yourself are going to abolish. You have recognized the evils of that system, and you want to introduce a reform in the ryotwari areas also; so why create a system which you yourself say is bad and should not exist."

THE HON. SRI KALA VENKATA RAO :—"Sir, I am very glad that the number of those gentlemen who are pleading for the cultivating tenant is increasing day by day, and it is the fortune of those gentlemen that a powerful advocate like Dr. John is espousing their cause. Well, Sir, the day will come when the United Democratic Party will have to stick to what they are saying to-day. After all we cannot be expected to bring so much of legislative reform with reference to the cultivating tenant. The Government as it is constituted at present are not prepared to abolish the pattadar. That is not at all the intention of the Government, nor is it the intention of the Congress manifesto as far as I know. But it does not mean that we leave things in the main to private contracts and the development of agricultural tenancy should rest of the gentlemen who have taken leases of plots of land. That question, as I have mentioned in my broadcast speech, will have to be examined; and hon. Members are aware that one of our Collectors, Mr. Raghavendra Rao, went into this question and his report is now before Government and it is being examined."

"But I must say to hon. Mr. Suryanarayana Rao and those of his way of thinking, even if we are prepared to take away land from the pattadar and hand it over to the gentlemen whom we call to-day the cultivating tenants, then, in ten years or in fifteen years you will find another set of gentlemen taking leases from the pattadars. For it is in human nature to lease land for cultivation to another. You cannot say to me, if I am a farm-servant to-day, that I cannot aspire to be a Member of Legislature or a Member of the Treasury Bench. When I become a member here, naturally I give my land to another to cultivate for me. Our

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country cannot afford to experiment on collectivist farming. It is a matter for decision for the next reform; and the other day, Dr. Lakshmanaswami Mudaliyar drew attention to it. The days of individual independent peasant proprietor are gone. We have to think how to develop our agriculture by means of tractors. In the light of this, the next question has to be considered calmly and a decision arrived at. I feel this suggestion of doing away with the pattadar are giving the patta to the actual cultivating peasant is a little ahead of the times.

"Then, Sir, the complaint that this a rich man's Government and it is out to help those who put them in power is rather unjust criticism. None of us, I can say, on the Treasury Bench, own property, the possession of which can be termed to be rich property; nor do I think hon. Members of this House own so much property as to be called rich men. After all our electors to the other House have been people who know only to read and write and who pay a tax of one anna—and so it is very nearly adult suffrage we have already—and the qualification for a voter for this House is payment of a tax of Rs. 300. For that, it is enough if a man owns fifteen to twenty acres of delta land, and you cannot call a man who owns fifteen to twenty acres of land a rich man. Therefore we are here to do something in return to those who sent us here; we need not pamper to them; we are doing this reform because we feel this thing should be done in the general interest of the country.

"Then, there is a third thing. I would like to tell Dr. John that every Bill has got a preamble. What is the scope of this Bill? The scope of this Bill is to provide for the repeal of the Permanent Settlement, the acquisition of the rights of landholders in permanently settled and certain other estates, and the introduction of the ryotwari settlement in such estates."

DR. V. K. JOHN:—"I have given an amendment to change the preamble."

MR. PRESIDENT:—"The hon. Member, I think, should have given another Bill."

THE HON. SRI KALA VENKATA RAO:—"The amendment of Dr. John changes the whole scope of the Bill. He has in mind a particular scheme of things. To fit his idea into this Bill, he has given the amendment. But I do not think it fits in. If the amendment is accepted, the whole Bill has to be changed. In the first place, who this person is has got to be defined. In the second place, the person who is going to be replaced by him has to be given compensation. When you criticise me for giving 12 crores, you want me to give one hundred crores of rupees which this Government cannot possibly afford to pay. Under the circumstances, the Government can only do their utmost to help the cultivating tenant, the agricultural labourer and everybody connected with the land. The subject-matter of the amendment is altogether different and it has to be examined separately. So I request the hon. Mover to withdraw the amendment."

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MR. PRESIDENT:—"I think Mr. John is well-advised in not pressing his amendment. Firstly, it will enable us to go through this Bill expeditiously. Secondly, the amendment does not at all fit in with the scope of this Bill. I do not want to go to the extent of ruling it out of order."

DR. V. K. JOHN:—"I am only going by the objects and reasons given by the Hon. Minister."

MR. PRESIDENT:—"The object is only to replace the zamindari system by the ryotwari system."

DR. V. K. JOHN:—"With due respect to the Chair, I submit that I do not want to withdraw. This and the other amendments are moved after long discussion in our party. We wanted that the sub-tenant, whoever it was, should be benefited. That is why we took up his cause."

The amendment was put and lost.

SRI B. NARAYANASWAMI NAYUDU:—"Sir, I move—

(1) In sub-clause (a)—

(i) omit the word "ryoti" in line 1;

(ii) omit the words "properly" occurring in line 2; and

(iii) omit the words "not either lanka lands or."

(2) Omit sub-clause (b) and the proviso.

In the alternative

(i) In the proviso to this clause, substitute the words "Board of Revenue" for the word "Government".

(ii) Add the following as another proviso, viz.:—

"Provided further where the landholder has cultivated by his own servants or by hired labour with his own or hired stock in the ordinary course of husbandry, he has cultivated such lands himself from the 1st day of July 1939."

"The Hon. Revenue Minister said just before that the objects of the Bill were the acquisition of the rights of landholders in permanently settled and certain other estates and the introduction of the ryotwari settlements in such estates. These are the two *rangus* of the Bill as I called them.

"Coming to this clause, there is a fundamental change in that it disturbs the holdings of the ryot. He is dispossessed of the lands which he is already holding under the landholder. He gets only the rights conferred under this Act and no other rights even if he has already enjoyed them. I ask the hon. Members to consider deeply the effect of clause 11. It says: Every ryot in an estate shall, with effect on and from the notified date, be entitled to a ryotwari patta in respect of all ryoti lands which immediately before the notified date were properly included or

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ought to have been properly included. The Settlement Officer shall decide these questions, namely, whether the lands are ryoti and whether they have been properly included.

“ Item (b) of the clause says: Every ryot in an estate shall, with effect on and from the notified date, be entitled to a ryotwari patta in respect of all lanka lands in his occupation immediately before the notified date, such lands having been in his occupation or in that of his predecessors-in-title continuously from the 1st day of July 1939. Under the Estates Land Act, lanka lands and ryoti lands stand on the same footing. There is no difference at all. If a zamindar has inducted a ryot into a lanka land, the ryot gets occupancy right in the same way as he gets it in the ryoti land. I don't think this statement can be challenged. There is the explanation that no lessee of any lanka land or an ijardar shall be entitled to a ryotwari patta in respect of such land. There are two important qualifications with regard to grant of pattas. It has been said that the ryot will get patta for all the lands hitherto in his possession. I say he cannot get. He will not get patta for lanka lands unless he has been in continuous occupation of them from the 1st day of July 1939. For instance, take tank-beds which have been assigned before 1931. Until 1931, it was absolutely within the discretion of the landholder to grant patta for tank-bed lands and such an act cannot be questioned under the Estates Land Act. I want to know from the Hon. Revenue Minister whether the Settlement Officer can refuse to give patta to a ryot if he happens to be in the occupation of abandoned tank-beds even from prior to 1931. I know of numerous villages in which tank-bed lands have been assigned and taken up for cultivation. With regard to lanka lands, I want to know whether the condition that a ryot should have been in continuous occupation of them from 1939 is not an encroachment upon his occupancy right statutorily recognized under section 6 of the Estates Land Act. In the discussion on clause 3 (b), the analogy of the cow and the calf was referred to. Even Nakshathreya's jurisprudence never claimed that a calf which had been dispossessed should revert to the purchaser on the sale of the cow. Lanka lands which have been assigned by the zamindars and which have been in the possession of the ryots from 1940, 1941 or 1942 cannot be taken back even under Nakshathreya's jurisprudence. Harischandra never allowed the 'calf' to be taken away because Chandramathi had been sold.

“ My friend the Hon. Revenue Minister wants to take away from the ryots all lanka lands unless they have been in continuous occupation of them from 1939. Lanka lands are a peculiar thing. Hon. Members from West Godavari, East Godavari, Vizagapatam and Krishna know what these lands are. Forbes said that section 6 of the Estates Land Act of 1908 did not create any rights but only declared the rights which had been enjoyed by the ryots from time immemorial with respect to lanka as well as non-lanka lands. What does the Hon. Revenue Minister's jurisprudence say?

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It says : Take away. There will be an enquiry into the history of ryoti lands. But with regard to lanka lands, there is absolutely no enquiry. I ask : Is this the *rangu* or the *pingu* of this Bill? (The Hon. Sri Kala Venkata Rao : 'I know only *rangu* but not *pingu*.') *Rangu* we all know and the camouflage of it is what may be called *pingu*. There is ryotwari patta for lands minus lanka and tank-bed lands in occupation subsequent to 1st July 1939. Is this the intention of the Government who are keen on effecting a ryotwari settlement? As the hon. Mr. Natarajan said, the scheme of the Act required that there should be some owner. The Act goes the wrong way. In effecting ryotwari settlement in estates, you are taking away from ryots the lands which have been in their occupation. From where is the day, the 1st day of July 1939, taken? Is it from the Zamindari Enquiry Committee's Report? I challenge the Hon. Revenue Minister to point out a single sentence in the 18 volumes wherein it is said that the ryots should not have occupancy rights in lanka lands. The Government can realize the whole compensation from these 30,000 or 40,000 acres of lanka lands. My friend was threatening. But zamindars are not foolish persons. They know the case and the history of the lanka lands.

"I ask the hon. Members hailing from districts where there are lankas : Can you with any face go and tell the ryots to-morrow that we have passed a law taking away the lanka lands in their possession? (The Hon. Sri Kala Venkata Rao : 'The members have all gone out.') The hon. Member from West Godavari is sitting there staring at me.

"There is the rigour of the party discipline. Even if the Government pass this Bill, let them pass it. But I do hope that they will revise their policy and come again with a Bill for doing justice to the ryots.

"Sir, let me now come to my alternative amendment to sub-clause (b) of clause 11, and take up first my amendment No. (ii) to add the following proviso, namely :—

Provided further where the landholder has cultivated by his own servants or by hired labour with his own or hired stock in the ordinary course of husbandry, he has cultivated such lands himself from the 1st day of July 1939.'

"I submit, Sir, that in this sub-clause there is what may be called a piece of jugglery. Under this clause if a person is in possession of the lanka lands from 1st July 1939, he gets a ryotwari patta. But if for any reason he has been in possession from 1939, but alienated or assigned it to somebody in 1945, then what is the position? The zamindar cannot get the land, because though he has been cultivating it from 1939, he is not cultivating it when the Settlement Officer takes up the question. It will not also go to the ryot, because he is only lessee. Therefore to whom will it go? Will it go to the Hon. Minister for Revenue? (Laughter.) There is no doubt that the aim of the Bill is to take

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the calf from the cow. (Laughter.) There is no use of laughing over it, because it is a direct consequence of this provision. You know and I know that it is what is going to take place exactly. If it was alienated by the zamindar in 1945, you want to say to the zamindar, 'You are not in possession when the Settlement Officer has taken up the question and therefore you are not entitled to a patta, because you have not come earlier.' Sir, what I want to do is to add this proviso under the proviso already there, namely :—

Provided further where the landholder has cultivated by his own servants or by hired labour with his own or hired stock in the ordinary course of husbandry, he has cultivated such lands himself from the 1st day of July 1939.'

"The existing proviso states—

Provided that no person who has been admitted into possession of any land by a landholder on or after the 1st day of July 1945, shall except where the Government, after an examination of all the circumstances otherwise direct, be entitled to a ryotwari patta in respect of such land.'

"As I said, if the landholder is not in possession of it on the 1st day of July 1945, why should it revert to Government? I would therefore once again appeal to the Hon. Minister for Revenue and the members of this House to calmly reflect over the position and see that my amendment is accepted.

"Then, Sir, with regard to the first alternative amendment, what I wish to say is this: I want, in the existing proviso, to substitute the words 'Board of Revenue' for the word 'Government'. Sir, in these matters we cannot trust the Government and that is why I want that the Board of Revenue should examine the circumstances instead of the Government. You know, Sir, that pressure is the key-word of the Government. We may not know where the pressure might come from and we do not know what pressure might be brought to bear upon the Government. But all the same, the pressure is there and the Government are susceptible to pressure and influence, because they are a party Government. Therefore I say that in such a matter, it is far better to leave the job to the Board of Revenue, where there may not be any pressure. That is why I want that the words 'Board of Revenue' to be substituted for the word 'Government' in the proviso.

"Now, Sir, I might say that the real bother in this matter comes when we take up the question of delta districts where there are lanka lands. These lankas are very valuable lands and it is for those that there is a lot of scramble. In the matter of distribution of lands to political sufferers, I can mention one instance where a political sufferer was given 10 acres of land in a village. He went to that village and sowed the seeds on that land but a few days later, all the seedlings were plucked off. Political sufferers are now going to the villages and entrenching on these valuable lands, but all the same the people in the villages will not

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allow them to cultivate those lands, because these are very valuable lands, and these people have been there for so long cultivating them on lease, that they will allow nobody from outside to get possession of those lands."

MR. PRESIDENT :—" They still continue to be sufferers."

SRI B. NARAYANASWAMI NAYUDU :—" They are, I might say, interlopers, Sir. They are not worthy of being called political sufferers. They will never go to the villages and cultivate lands. I ask you seriously, how could these political sufferers become agriculturists? Everyday they want to go in motor-cars to cities; they want coffee and do all sorts of propaganda wherever they go. They can only talk on platforms, but they cannot make good and real agriculturists, Sir."

THE HON. SRI KALA VENKATA RAO :—" Sir, I am afraid this thing has gone away from the subject under discussion. But since the hon. Member has given expression to it, I might say that he is entirely wrong about his idea of the gentlemen who are going to be put in possession of lands and whom we call political sufferers. You cannot ridicule persons and say that they want coffee and motor-cars wherever they go. They are people who have suffered for the country and they are far better than people who simply sit and make speeches without doing anything for the country."

SRI B. NARAYANASWAMI NAYUDU :—" What I say is that they are unfit for agriculture, because they have never done agricultural work."

THE HON. SRI KALA VENKATA RAO :—" At any rate they are better fitted to be agriculturists than the hon. Gentleman, because he has left his native village long ago in Chittoor and has gone to practice law in Masulipatam. But the political sufferers whom we are thinking, and to whom we are going to give lands are still in their villages cultivating lands and they can do much better agriculture than the hon. Member who charges them with all sorts of invectives."

SRI B. NARAYANASWAMI NAYUDU :—" Sir, in spite of the acrimony which the Hon. Minister wants to import into this debate, the fact remains that they cannot go and sit on the threshing-floors in these villages and keep quiet, attending to agriculture. You want us to believe that these people who go to the towns and cities in cars and lecturing to people are political sufferers, would prove good agriculturists also. Let the Hon. Minister for Revenue remain in that belief. But let us not discuss further about it now. We are not concerned with that matter. What I want to say is, 'What right have you got to take away these lands from the ryots?' It is not a question of competition between the ryot who has been inducted by the zamindar and the ryot whom the Government want to induct—never mind whether he is a political sufferer or not. That question will come up later. Is it good or is it fair for the Government to do so? I want to know what is the principle they are adopting in this matter."

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MR. PRESIDENT :—“ That principle does not really necessitate throwing any invectives upon any other persons.”

SRI B. NARAYANASWAMI NAYUDU :—“ Sir, I say that there is conflict between the two sets of ryots, the ryots whom the zamindar has inducted and the ryots whom the Government are going to induct. But I shall not touch upon that subject, Sir. My point is, that in respect of these lanka lands, which are very valuable lands, the rights of the present ryots should not be taken away, nor should we induct new ryots into it. That is my submission, Sir.”

* DR. V. K. JOHN :—“ Mr. President, Sir, in seconding this amendment, I want to make one observation. Throughout this Bill, you find either the expropriation of the zamindar or the expropriation of the inamdar. It was said that this expropriation is for a *bona fide* purpose. Sir, clause 11 provides that nobody will get a patta for a lanka land, although that person was in occupation of it from 2nd July 1939. Sir, what a fateful date it is! 2nd July 1939 is a far distant date from to-day. It is now nine years since that date. If persons who have been in possession of and have been cultivating these lanka lands for nine years continuously, what right have the Government to deprive those people of their lands and deny their right to get a patta for those lands. The Government say, ‘ We will not give them pattas. We will not give pattas to anybody else. We will take these lands ourselves.’ Sir, the question of political sufferers has been brought in and I shall refer to them. But I appreciate very much and take this opportunity of expressing my appreciation of the great sincerity and sympathy with which my hon. Friend Mr. Madhava Menon has espoused their cause and said that the Government are out to help those people who have suffered for the country. I feel with him and I submit that wherever nobody else is available, these lands might be assigned to those political sufferers. But why take away the lands from these families which are entirely depending on the produce from these lands for the last nine years. What justice is going to be done to them? ”

THE HON. SRI KALA VENKATA RAO :—“ If they are in possession of these lanka lands continuously from 1st July 1939 they will be assigned these lands, Sir.”

MR. PRESIDENT :—“ The occupation should be continuously from the first day of July 1939. If he was there from the 2nd, he is not entitled to get a patta. Is that what the hon. Member means? ”

DR. V. K. JOHN :—“ Yes, Sir. That is why I said that 1st July 1939 is a fateful date. If he was continuously in possession from 2nd July 1939, he does not get a patta. Is that justified, Sir, I ask.”

MR. PRESIDENT :—“ Does the hon. Member want to draw a distinction between 1st and 2nd July 1939? ”

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THE HON. SRI KALA VENKATA RAO :—“ Sir, let me in this connexion give an analogy. If your income is Rs. 999, you are not liable to income-tax. But if your income is Rs. 1,000 you must pay income-tax for the whole amount. A line must be drawn somewhere and we cannot help it, Sir.”

*** DR. V. K. JOHN :—**“ I ask the question : ‘ Is this piece of legislation in favour of the ryot ? ’ Certainly it does not benefit either the zamindar or the inamdar. Is it to benefit the ryot ? I say, wherever it is possible the Government can benefit by this. Wherever there is an advantage the first question is : ‘ Can the Government take that advantage ? ’ ; whatever may be the object, the Government get the first priority. Charity begins at home. Then, if the Government cannot take the advantage, it is given to the ryot. I say that the amendment which my Learned Friend has brought is to clear that injustice and see that the ryot at least is benefited. Look at the explanation. It says :

‘ No lessee of any lanka land and no person to whom a right to collect the rent of any land has been leased before the notified date, including an ijaradar or a farmer of rent, shall be entitled to a ryotwari patta in respect of such land under this section.’

If a man is a lessee he does not get the advantage. I say this does not benefit the ryot in many respects or the lessee in actual cultivation. It benefits the Government primarily whatever be the object. Then to some extent it benefits the ryot. The first priority is given to the Government. We object to that.”

THE HON. SRI KALA VENKATA RAO :—“ I am sorry, Sir, that the whole position has been misunderstood with reference to this clause. The hon. Gentleman, Mr. Narayanaswami Naidu, feels that the cumulative result of the wording of the whole clause will be to the effect that one who did get a ryotwari patta and who is enjoying that land, is being deprived of it unnecessarily, in order to benefit the Government. Sir, the dates are fixed for particular reasons. As a matter of fact, if you go through the memoranda submitted by the ryots’ organizations throughout the Presidency, their claim has been that from the time the first Estates Land Bill was introduced or rather prepared by Mr. Cole in 1898, the zamindars have been manipulating and seeing that most of the lands in the estates were registered in their own names or in the names of their henchmen so that they might have the ultimate benefit. Therefore there was really a good demand that the definition of ‘ private land ’ in the Estates Land Act should not be touched. But owing to a number of circumstances we had to give way. The fixation of the date ‘ 1st July 1945 ’ about which there has been so much criticism was due to this. Soon after the Congress Election Manifesto was published the intelligent among those zamindars, perhaps on expert advice or gentlemen who are their advisers, began to assign lands. They did not induct the real ryot. But whom did they induct ? They did not induct the ordinary

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ryot to whom they have been giving the land all these years. If land was available do you think he would have kept it without being assigned till the end of the date, say 1st July 1939 or 1st July 1945? You know, Sir, there was great pressure on land and if there were really lands which could have been cultivated they would have been brought under cultivation years and years before. Why was it kept back? It was done so because the zamindar was getting some benefit out of it. When the agitation ultimately started and the manifesto of the Congress was published they began to act. They are intelligent. If an intelligent man prepares a currency note, Sir, there is another intelligent man to prepare the counterfeit of it. In the same manner . . . (Interruption.) The law can be circumvented in a number of ways. No law can be perfect, Sir, however much you may try. What did they do? They expected that there would be—to use the word of the Leader of the Opposition—complete expropriation by the Government. They wanted to ‘make hay while sun shines.’ Or else, why should there be an assignment in favour of the first son of 1,300 acres in the month of June 1947, another 1,100 acres in the name of the second son and another 1,000 acres in the name of a near relative. All these 3,400 acres, were they not under cultivation? How does the assignment in favour of the sons benefit the peasants. By a private arrangement 99 acres out of every 100 acres of these assignments will revert to the zamindar soon after the Abolition Bill becomes law. That is why, Sir, this clause is there. I would have removed this clause if there was any hope for the ryot to get anything out of the zamindar. If the poor man gets 4 or 5 acres why should I stand in his way. I would be the last man to do that. Because there was subterfuge resorted to and thousands of acres were being assigned in the name of people who were only assignees for name’s sake this clause has been introduced. As soon as the Bill becomes law the whole of the lands will revert to the zamindars. That is the reason why, Sir, we had to take this date back as far as possible to see that none of these actions are validated. What does the section say: ‘Provided that no person who has been admitted into possession of any land by a landholder on or after the 1st day of July 1945, shall, except where the Government after an examination of all the circumstances otherwise direct, be entitled to a ryotwari patta in respect of such land.’ Why should we put this in? It is only to protect the small man. It is only to give the gobye to all those actions that have been committed by the zamindars in order to benefit their own pockets or those of their near relatives. This is quite patent on the face of it. Therefore, Sir, I am afraid I cannot accept the amendment.

“The question of the lanka lands is a peculiar one, Sir, as Mr. Naidu said. He was born in a place, Sir, where there are no lankas. I was born in a lanka itself (interruption) a high level lanka, Sir, which is 687 square miles in extent, consisting of Amalapuram and Razole taluks which form my constituency. And we have to cross one branch of the river 2 miles wide from

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whichever side to reach my place. I was born in a lanka, Sir, and I know what a lanka is, how a lanka is cultivated and how profitable it is. What I said the other day in regard to the Government lankas will hold good here also. I can give that assurance straightaway. Sir, a low level lanka is very profitable if you grow tobacco. In 2 or 3 years it may disappear. At the end of two or three years you might get a lot of income. These are never assigned to anybody. They are given on lease and sold in public auction. If you assign it Rs. 11 is the utmost you get for an acre. But when you auction it will get Rs. 300 per acre and the gentleman who takes it on lease will get Rs. 1,000 per acre if the prices are favourable. In the nature of things these are lands which shift and only for a short period you get an income from them. There can be no question of X being inducted by Y being sent away. To-day you may be getting a regular income from them but to-morrow the whole thing may get eroded and you may lose the whole thing. That is the reason, Sir, why I have been saying that these A class lankas should be leased for 20 years and they cannot be assigned. We are prepared to assign them if they are not eroded and if they had been there for a reasonable period.

"As I have already stated, Sir, we have not provided here as in the 1908 Act that the private land should have been cultivated for 12 years, because we wanted to take inspiration from the date of the Prakasam Committee's Report. That is one stage and the other stage was the date of the Congress Election Manifesto. Both these dates have been entered in the Bill. Sir, the Government have taken power under this clause to go into the question and examine it. It has been purposely put there in order to see that bona fide assignments of lands, let them be anywhere, will go to the poorer person and not be taken away. A blank clause without that qualification would not have helped the small people who would have really got into possession of the land. If under some circumstances he was given 4 acres of land for cultivation, why should I take them away? The policy of the Government is to assign lands in an order like, Harijans, Backward Classes, the landless poor, etc. Therefore if lands are available they will certainly go to the poor and the poorest. If in any such case the lands revert to Government we will see that they do not revert to the Government and that it benefits the person who is there if he is poor. Therefore, Sir, in the circumstances I have mentioned I won't allow the calf being abducted away by people who believe in getting all the milk for themselves."

MR. PAESIDENT :—"The question is that in sub-clause (a) of clause 11: (1) (i) the words 'ryoti' in line 1 be omitted: (ii) the words 'properly' occurring in line 2 be omitted and (iii) the words 'not either lanka lands or' be omitted; (2) sub-clause (b) and the proviso be omitted."

The amendment was *lost*.

MR. PRESIDENT :—"The question is that clause 11 do stand and form part of the Bill."

The motion was *carried*.

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Clause 12.

MR. PRESIDENT :—“ The question is that clause 12 do stand and form part of the Bill.”

The motion was *carried*.

Clause 13.

SRI R. SURYANARAYANA RAO :—“ I only want to know, Sir, why the word ‘ rearing ’ is used in the Explanation in regard to topes of spontaneous growth. Does a zamindar or a ryot rear topes which are of spontaneous growth? They grow of their own accord.”

THE HON. SRI KALA VENKATA RAO :—“ Some trees grow by themselves and some trees like the mango require rearing. We will have to treat each on a different line. If the trees are growing by themselves we need not give them to anybody. If they are reared they would be given.”

MR. PRESIDENT :—“ The meaning seems to be this. Growth is spontaneous, but it is subsequently reared.

“ The question is that clause 13 do stand and form part of the Bill.”

The motion was *carried*.

Clause 14.

MR. PRESIDENT :—“ The question is that clause 14 do stand and form part of the Bill.”

The motion was *carried*.

Clause 15.

MR. PRESIDENT :—“ The question is that clause 15 do stand and form part of the Bill.”

The motion was *carried*.

Clause 16.

SRI B. NARAYANASWAMI NAYUDU :—“ Sir, I move—
‘ Add the following to sub-clause (1) :—

“ *Provided that where such assessment is higher than the assessment he was liable to pay to the landholder, the ryot shall pay only the lower assessment.*”

This is the last of my attempts, Sir, to open the eyes of the House. Whereas under the Rent Reduction Act there has been a clause introduced definitely saying if the assessment is lower it shall not be raised, here it has been given the gobye. There is nothing which the Government cannot do under this Bill. Under this Bill they can increase the rent. I am asking the hon. Members on the other side of the House when they have voted for the Reduction of Rent Bill saying that there should be no increase of rents, whether they want to vote with the Government now when they

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are taking power to enhance the rent. Of course Mr. Govindacharyulu will move an amendment and walk out but the other Members of the House sitting on the other side will vote with the Government. It is what is called their administration of truth, simplicity and honesty and other higher things.

"I ask this Government, when you have passed the Rent Reduction Act, did you not simultaneously give an undertaking to the ryots that the rents shall not be enhanced? I am going to call for a division to-day on this point. Now, what does this clause say? It says: '*Every person, whether a landholder or a ryot, who becomes entitled to ryotwari patta under this Act in respect of any land shall, with effect on and from the notified date, be liable to pay to the Government such assessment, as may be lawfully imposed on the land.*' It means that if such an assessment is higher than the assessment he is liable to pay to the landholder, then he will have to pay the higher assessment. Sir, I do press for a division on my amendment. While you have the Rent Reduction Act to reduce the rents, you now want the ryot by means of this clause, to pay a higher rent."

SRI A. GOPALAKRISHNAYYA:—"I second the amendment, Sir."

THE HON. SRI KALA VENKATA RAO:—"Sir, the point is simple. Under the Rent Reduction Act, the reduction was on the average basis because we wanted to give some relief to the tenants immediately and therefore, we provided that the rents will be reduced on an average basis. It is only to give immediate relief nine-tenths the rate of three-fifths of the rate, etc., is being reduced. We thought we need not go into the whole question. Especially if any wanted to raise the rent, it should be done on a scientific manner. Here it is a question of the settlement of rent. The other day, I explained the mechanics of settlement. You have to take into consideration the question of equity and also the position of the land. Suppose for a particular piece of land there was a lower rent fixed on the basis of there being water-supply only for three months. But if the supply is now increased to six months and the tank gives much more water, the tax may go up. In the settlement operations, the quality, composition of land and the number of the tharam will all be gone into and the rent will certainly increase with the tharam rate. There is also another point in respect of this levelling up business. Out of the several notifications that we have issued under the Rent Reduction Act, even on the average basis, we could hardly pick up six cases in which the rents were lower than the rents mentioned in the notifications. Therefore, for criticism's sake, arguments may be advanced, but actually, there is no point in this. Suppose a tenant pays a certain rent for a land to-day and to-morrow when the Ramapadasagar Project comes into operation and if that area is under that Project, the tenant will have to pay a little more rent. As a matter of fact, Government are going to bring an Irrigation Bill that was once

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sponsored by late Sri K. Srinivasa Ayyangar in 1924. We have revised it and we are going to bring in that Bill. That will give power to the Government to increase the rent. I have also told the House the other day another thing. In Ramnad to-day, there are not even bunds to tanks. Still they collect half-waram and suddawaram. But to-morrow, if we are going to repair the bunds and if the water-supply is increased with increased benefit to the ryot, then naturally the tharam rate will also increase. Therefore, there is nothing unjust in this and I therefore assure my hon. Friend that he need not press this amendment."

SRI B. NARAYANASWAMI NAYUDU :—" With your permission, Mr. President, I wish to say a few words even though you ruled the other day that for amendments, I have no right of reply."

DR. V. K. JOHN :—" The hon. Member has the right of reply."

SRI B. NARAYANASWAMI NAYUDU :—" There is only one point which I want the Hon. Minister to clarify and which I did not mention in my speech when I moved my amendment, and I want to say a few words on it. There are what are called 'Mamool pallam' lands and the wet rate is not collected by the Government. As a matter of fact, Government supply water to those lands but do not charge a higher rent. I want to know from the Hon. the Revenue Minister what will be the position of those Mamool pallam lands."

MR. PRESIDENT :—" They will come under the Irrigation Bill."

SRI B. NARAYANASWAMI NAYUDU :—" I went to know whether the rents will be increased with regard to these Mamool-pallam lands in the Settlement notifications that will be issued."

MR. PRESIDENT :—" Is there anything to prevent the Government from raising the rent?"

SRI B. NARAYANASWAMI NAYUDU :—" They cannot."

MR. PRESIDENT :—" It will form the subject-matter of another legislation."

SRI B. NARAYANASWAMI NAYUDU :—" They can bring any Bill. But, what I want to know is what is the intention of this Government with regard to these 'Mamool pallam' land. Will they continue to be as they are now or will a water-cess be levied separately? I want to know whether the scheme of this Act proposes to bring in water-rate also to those lands."

THE HON. SRI KALA VENKATA RAO :—" Sir, I said that all the privileges enjoyed in the ryotwari areas will also apply to the estates when they are taken over. Sir, the 'Mamool pallam' wet lands lie both in the ryotwari areas and in the zamindari areas and they do not pay a higher rate of tax at all for water supplied. The same principles which will be applied to the ryotwari Mamool pallam

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lands will also be applied to the zamindari mamoolpallam lands under the ryotwari settlement. So far as these mamoolpallam lands are concerned, they will continue to pay the same rents till such time as some other Bill comes into force and takes away the rights enjoyed by the owners of those lands."

MR. PRESIDENT:—"The question is that the following be added to sub-clause (1) of clause 16 :—

'Provided that where such assessment is higher than the assessment he was liable to pay to the landholder, the ryot shall pay only the lower assessment.'"

The motion was lost.

MR. PRESIDENT:—"The question is that clause 16 do stand and form part of the Bill."

The motion was carried.

Clause 17.

MR. PRESIDENT:—"The question is that clause 17 do stand and form part of the Bill."

The motion was carried.

Clause 18.

* DR. V. K. JOHN :—"Sir, I move that the following be substituted for the existing clause 18 :—

'Every building situate within the limits of an estate in respect of which a ryotwari patta has been granted shall vest in such pattadar who shall pay such compensation as is fixed by the Government in accordance with the rules framed by the Government and approved by the Provincial Legislature, such compensation being payable to the person or persons who before the notified date were the owners of such building.'

Mr. President, I want the whole clause 18 to be deleted. Because, there is no provision at all anywhere in the Act that these buildings which vest in the Government should be paid for. That is why I have given notice of my amendment. Now, there is no question of collection of revenue in this matter. A man might have put up many buildings. The Hon. the Minister said that many of these buildings do not cost much. But, they may be poor people who have put up these buildings and whether the buildings cost much or whether they cost little, how can that building be vested in the Government without payment of compensation. It is naked expropriation. There is no excuse in saying that the zamindars were only collectors of revenue and that these buildings belonged to the Maharajas before 1802 and they passed on to these zamindars. Sir, the building belongs to the landholder and if it vests in the Government, it should be paid for. It is only equity. What do the High Command say? They say that equitable compensation should be

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paid. But, if we expropriate the owners of the property, whether it is movable or immovable, we are committing a wrong and we are creating a feeling of insecurity in the public mind. That should not happen. If the Hon. Minister is correct in saying that these buildings are not very costly, then we need not worry but they have actually invested substantial sums on these buildings.

"The second point is this. There is a curious provision in this clause which says that buildings which vest in the Government, if it be under the occupation of religious or educational or charitable institution, will revert in the landholders when these institutions cease to exist. Now, Sir, in some of these buildings, repairs would have been effected. So, why should the buildings which vested in the Government should revert in the landlord? Whoever gets the patta of that land in which the building is, ought to pay for the building, if he likes that it should vest in him."

MR. PRESIDENT:—"Suppose a building is used for the purpose of a school, Government want to have control over it as long as the school is there. When the school disappears, the building will go back to the zamindar."

THE HON. SRI KALA VENKATA RAO:—"They are institutions for which there are no endowments, but for which some payment is made from out of the income of the zamindar. Simply because we want to take it over and run it, that provision is made."

MR. PRESIDENT:—"As long as the institution is there, the Government will have control over the building but when the institution disappears, the building will go back to the zamindar."

* DR. V. K. JOHN:—"Suppose for fifty years, a charitable institution is running some primary school or a high school. Under ordinary law, according to the principle of the Cypres doctrine, all properties vesting in a charitable institution, whether the right be an occupancy right or not, will certainly go to some other charitable institution."

MR. PRESIDENT:—"There are no endowments, but the zamindars are running some high schools, and have provided buildings for them. The schools are there, and the Government want to take over those buildings also, for the running of the schools; and if the schools disappear for some reason or other, the buildings will go back to the zamindars. There is no question of Cypres doctrine here."

DR. V. K. JOHN:—"What I am asking is, why should these buildings vest in the Government at all? They can be left in the occupation of the institutions and the ownership could continue to be in the landlord, until the religious, charitable or educational institutions cease to exist."

MR. PRESIDENT:—"Suppose alterations, repairs or additions have to be made, who is to do them?"

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DR. V. K. JOHN :—“ Obviously, if the building is in the occupation of a charitable institution, which is running it, that institution has to carry out all these repairs, etc.”

MR. PRESIDENT :—“ There is no institution as such.”

DR. V. K. JOHN :—“ Then the wording in the clause should not be ‘ . . . in the occupation of a charitable institution . . . ’. The word ‘ occupation ’ is used. If the building is made use of, as by a licensee, it is quite a different thing. The vesting of these buildings in Government is an unnecessary complication introduced into this provision. I can understand vesting of these buildings in Government for all time.”

MR. PRESIDENT :—“ Why cannot you understand vesting in the Government as long as the institution exists? ”

DR. V. K. JOHN :—“ One can perhaps understand why they should vest. But why should they re-vest in the landlord? ”

THE HON. SRI KALA VENKATA RAO :—“ Because we do not pay compensation.”

DR. V. K. JOHN :—“ My main point is this. We should not give the idea that there is a case of expropriation. When any building is taken over by Government, they must pay compensation for it. If no compensation is paid, then there is clearly a case of naked expropriation.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ I second it.”

THE HON. SRI KALA VENKATA RAO :—“ As I have already explained, we cannot force anybody to do a charity. If there was already an endowment for any educational or charitable institution, that would be administered, and the present income will be guaranteed to it and we will continue that institution. On the other hand, if there were simply a charity, and the zamindar has been making only some *ad hoc* contributions, we do not want the people to suffer for want of the facilities which they have been enjoying so far, and therefore want to take over these buildings for continuing such charitable institutions. If this clause were absent, the landlord may say : ‘ You go out of my building for you are not paying any compensation.’ We only want to pin him down to the charity that he began, and we shall continue to hold those buildings, as long as we would like to continue them. There is also a remote contingency of our ceasing to run these institutions. Dr. John asked, why should these buildings revert to the gentlemen from whom they were taken over? Simply because, we are not paying him any compensation now. To safeguard the position of Government, on account of the non-payment of compensation, this clause had to be introduced in the form in which it occurs here.”

“ As regards clause 18 (1), I have already explained, that rent-collecting was one of the duties imposed upon the estate holder by

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the 1802 settlement, and for the purpose, the landlord must have some place wherefrom he can carry on the administrative functions imposed upon him by the sanad. Obviously, he cannot do so, by sitting under a tree or in the air. There must be some building intended for that purpose. We are taking away, under this clause, only those buildings which have been exclusively used for the purpose of administration. Though the clause is worded in the form in which it occurs, still, in effect, it will only affect a few buildings. Just now, I was exchanging notes with Mr. Gopalakrishnayya about these things, and we found only in a few estates buildings exist as the landholder's offices. So there is no expropriation at all contemplated here. If there is even any imaginary expropriation, the building is going to be utilized only for a public purpose, and not for any private benefit to anyone including the Government. Therefore, I would request Dr. John to withdraw his amendment."

DR. V. K. JOHN :—" With your leave, Sir, may I put a question to the Hon. Minister, whether this clause will be valid as against section 299 of the Government of India Act? "

MR. PRESIDENT :—" The hon. Member is more competent to answer that point, than the Hon. Minister."

THE HON. SRI KALA VENKATA RAO :—" I have been advised that it is valid."

The amendment was put and lost.

Clauses 18 and 19 were put and carried.

Clause 20.

SRI B. NARAYANASWAMI NAYUDU :—" I would like to say a few words upon this clause. The question has already been dealt with by me in my opening speech. But due to some reason or other, it escaped my notice, while I gave in my amendments. This clause refers to the mineral rights. It has nothing to do either with the ryot or with the landholder or with any other person. Clause 20 (1) states—

' In cases not governed by sections 18 and 19 where before the notified date, a landholder has created any right in any land (whether by way of lease or otherwise) including rights in any forest, mines or minerals . . . shall be deemed to be valid; and all rights and obligations arising thereunder on or after the notified date, shall be enforceable by or against the Government. . . . '

" Sir, what is the position of the mineral rights which have been created in those lands, before the notified date? And the clause goes on—

' Provided also that where such right was created for a period exceeding one year, unless it relates to the private landholder within the meaning of section 3, clause (10), of the Estates Land Act, the Government may, if, in their

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opinion, it is in the public interest to do so, by notice given to the person concerned, terminate the right with effect from such date as may be specified in the notice, not being earlier than three months from the date thereof.

(2) *The person, whose right has been terminated by the Government, under the foregoing proviso, shall be entitled to compensation from the Government which shall be determined by the Board of Revenue in such manner as may be prescribed, having regard to the value of the right*

“ So, the life of a mining lease, created 90 days prior to the notified date, rests in the hands of the Government. They can terminate it at any moment, if they want it in the public interests, by means of a notice given to the person concerned. Whereas in respect of other rights, the principles on which the compensation should be based have been provided for, yet in respect of these mineral rights which may be acquired, no principles at all have been provided. Even under the Land Acquisition Act, the Government have power to acquire these mines. But there is power given to them, under this Act, to terminate a mining lease, and then pay the compensation in a manner to be determined by the Board of Revenue, according to some rules which they may frame. I submit, Sir, that this is not at all proper or sane. I do not have any specific idea in my mind. But I do suppose there are cases where such mineral rights have been created, and now, under this clause, the power to terminate that lease and acquire the rights created therein, is taken over by Government; and the compensation is left to be determined by the Board of Revenue, according to rules to be framed hereafter. We have now no idea about it and we cannot say whether it will be equitable and fair compensation or not. I submit, therefore, that this clause ought not to be accepted.”

THE HON. SRI KALA VENKATA RAO :—“ Sir, we have been very generous in this clause here, more generous than any other Bill in any other Province in India. Hon. Members will remember—I take the information from the Press news, and I do not know anything more about it—that the Bihar Zamins Abolition Bill was returned, because there was some dispute about the wording of the clause, with reference to the mines. The Government of India thought that the provision in that Bill was contrary to their industrial policy. So, after reading their industrial policy, and after consulting the concerned member of the Government of India in the matter, we have worded this clause in its present form. In the first instance, short-term leases are not touched at all. But as regards the long-term leases, we simply take over the power to acquire such rights, at any time we like; this is because, at some future date, it may so happen that these mines—as it happened in England when the English steel Bill said that all iron mines should be nationalized—may be taken over by Government in the national interests. For instance, there is the mangane-se mine in Garuvadi in Vizagapatam district, which we do not

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propose to touch at all, unless it be in the national interest. And we shall take them over, not as Dr. John stated, by a process of expropriation, but by paying for it. The Board of Revenue is mentioned, because it is the competent body in charge of the geological affairs nowadays, in respect of which there are many standing orders of the Board already. I would only reiterate that we have been fairer than any other Province in this matter."

Clause 20 was put and carried.

Clause 21.

SRI B. NARAYANASWAMI NAYUDU :—" Sir, I move—

The following shall be substituted for the existing sub-clause (2) of clause 21, namely :—

" (2) *The cost of the survey or re-survey shall be borne in the same manner as when the ryotwari settlement and surveys are made by the Government in ryotwari areas.*"

" This amendment is for the purpose of ensuring that the cost of surveying shall be borne by Government . . . "

THE HON. SRI KALA VENKATA RAO :—" We are going to pay for them, except for the survey stones which the ryots will have to pay for. I think, therefore, this amendment need not be moved."

MR. PRESIDENT :—" Sub-clause (2) says : ' payable by the ryots or the landholder . . . '

THE HON. SRI KALA VENKATA RAO :—" According to the Board of Revenue's standing orders, they are liable to pay only the stone charges."

MR. PRESIDENT :—" Then, what is this amendment intended for? "

THE HON. SRI KALA VENKATA RAO :—" The amendment seeks to clarify what I have submitted just now."

SRI B. NARAYANASWAMI NAYUDU :—" I thought it may be something different. But now that I have heard that the cost is nothing but that of the survey stones, I do not propose to move my amendment."

Clauses 21, 22 and 23 were put and carried.

Clauses 24 and 25.

* DR. V. K. JOHN :—" Sir, I move the amendments of mine which read as follows :—

The following shall be substituted for clauses 24 to 54, both inclusive :—

" *Adequate compensation equivalent to the market value of any interest in any land transferred, determined or acquired under the provisions of this Act shall be payable to the person or persons whose interests have been*

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so transferred, determined or acquired, by persons or Government for whose benefit such interests have been transferred, determined or acquired in such proportions and in such manner prescribed by rules framed by the Government and approved by the Provincial Legislature."

"And the following provisos to clause 25 :—

"Provided that compensation shall be payable on the basis of the market value of the interest acquired under the provisions of this Act, with 15 per cent solatium for compulsory acquisition. This compensation shall be payable in cash or in such other manner agreed to by the person entitled to compensation :

Provided further that compensation shall be payable by the person or persons or the Government to the extent of the benefit respectively conferred on him or them."

"The amendments are self-explanatory, and so, I do not propose to make a speech, and moreover, I have already referred to these in the general discussion."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—"I second the amendment, Sir."

THE HON. SRI KALA VENKATA RAO :—"I have also answered them earlier. The principle on which the compensation should be based also, I have already explained. Accordingly we have provided just and equitable compensation, more just than is provided for in any other Bill in any other Province of India. In the circumstances, I would request my hon. Friend to withdraw his amendments, since paying for these estates on the basis of the market value is not a feasible proposition."

The amendments were put and lost.

Clause 24 was put and carried.

Clause 25 was put and carried.

MR. PRESIDENT :—"The House will now adjourn, and meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

Clauses 26 to 30 were put one after the other and passed.

Clause 31.

* SRI A. GOVINDACHARYULU :—"I beg to move the following amendment :—

'In sub-clause (i), for the words "ryotwari demand" substitute the words "income".'

Sir, I want that the income should be taken as the basic sum for the purpose of determining the compensation. The ryotwari demand will be the demand as it has been reduced according to

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the Rent Reduction Act and the reduction has been in many cases to one-third or half of the old income. One rupee has been reduced to six annas and four annas to one anna. These things are determined according to the rates prevailing in the villages near by. The fundamental principle of bringing down these rents is wrong and further to base the compensation on this reduced rent is simply ridiculous, harmful and unjust. The compensation so paid would be a farce and I am afraid that it will be *ultra vires* of section 299 of the Government of India Act and the very purpose of the Bill for which we all stand will not be achieved. I want that the present income should be taken as the basic sum, that 10, 15 or 20 times that amount be paid as compensation to the zamindars or the inamdars and that they be asked to quit and the land distributed to whomsoever the Government like. Then, Sir, no court will stand in the way of the cherished desire of my friend to have his name linked with that of Lord Cornwallis.

MR. PRESIDENT :—“ In clause 31, is the basic annual sum for inam estates fixed in the same way as for zamindaris? ”

THE HON. SRI KALA VENKATA RAO :—“ There is a difference. In the case of the zamindaris, the rent is reduced to the ryotwari level, and one-third of it is taken. There is a formula for it. In the case of inams, the whole amount is taken, minus quit rent and 3-1/3 per cent more in cases where there are irrigation works.”

MR. PRESIDENT :—“ In the case of 1908 inams also, is the whole rent taken? ”

THE HON. SRI KALA VENKATA RAO :—“ Yes, Sir. If the income should be taken as the basis here, it must be taken in the case of the zamindars also. It cannot be applied exclusively for the inamdars alone. The 1908 inamdars who are included in the Bill are those to whom only the collection of rent alone was assigned. They cannot be treated separately from the zamindars, nor can the present income be taken as the basis.”

MR. PRESIDENT :—“ What does income mean? ”

THE HON. SRI KALA VENKATA RAO :—“ If an inamdar gets 5 or 10 bags of rice per acre, the market price of it should be taken as the basis.”

SRI A. GOVINDACHARYULU :—“ Suppose an inamdar gets Rs. 5 or Rs. 10 from a land, that amount without any reduction under the Rent Reduction Act should form the basis.”

MR. PRESIDENT :—“ Even if the amendment is carried, he would not get anything more than what is given under the Rent Reduction Act.”

THE HON. SRI KALA VENKATA RAO :—“ Yes, Sir.”

SRI A. GOVINDACHARYULU :—“ I want that quit-rent and jodi should not be deducted from the basic sum.”

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THE HON. SRI KALA VENKATA RAO :—“ Sir, my hon. Friend started as an advocate of the 1936 inamdars and he has gradually become an advocate of the 1908 inamdars. . . .”

MR. PRESIDENT :—“ Clause 31 refers to mam estates, that is, estates recognized under section 3 (2) (d), where the melvaram alone is granted. Where does the question of income come? ”

THE HON. SRI KALA VENKATA RAO :—“ It does not come, Sir. There is one other point raised by him, Sir, which he has mentioned for the fourth time, I think. He has said that the Revenue Minister wants to associate his name with that of Cornwallis. I am not one of those who think that Cornwallis had any glory. He is an alien, he made his mark in the history of this country as a ruler and those people have left the country. No glory attaches to Cornwallis. If I want to have any glory, let it be my personal glory or the co-operative glory of the party to which I and my hon. Friend belong. But I may say, Sir, I have never aspired to get the glory of a Goethe or Marshall to which my hon. Friend is aspiring. He has already written a book of 1,200 pages and he is threatening another publication. I do not want any glory, Sir. If I have any, I shall gladly transfer it to my life-long friend Mr. Govindacharyulu.”

SRI A. GOVINDACHARYULU :—“ I withdraw the amendment, Sir.”

DR. V. K. JOHN :—“ We do not want to embarrass him, Sir. He can move his amendments and withdraw them if he likes.”

The amendment was, by leave of the House, withdrawn. Clause 31 was put and carried.

Clauses 32 to 36.

Clauses 32 to 36 were put one after another and passed.

Clause 37.

* SRI R. SURYANARAYANA RAO :—“ Mr. President, Sir, the amendment which I have given notice of relates to the addition of two new provisos which read thus :—

“ Provided that in respect of estates which have changed hands prior to 1939, the total compensation payable shall in no case be less than the actual value paid :

Provided further that the total compensation payable in respect of any estate already surveyed shall include the cost of survey operations already incurred.”

“ The first of the provisos deals with estates which might have changed hands prior to 1939. In respect of those estates, if the formula of compensation is applied, it will be inequitable. I took the year 1939 following the advice of my hon. Friend the Revenue Minister because he is fixing 1st July 1939, the date on which the resolution relating to the Prakasam Committee report was adopted

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by both the Houses. Prior to that, it was found that the estate holders had complete power to alienate, to sell and to purchase also. So, some of them who purchased prior to 1939 did so in good faith that their position would be undisturbed and that they would be allowed to enjoy the income from the estates. Now, we are depriving them of this income. Is it fair to apply the formula the result of which, when they receive compensation, would be much less than the actual cost of the estate? The Hon. Minister for Revenue has repeated twice that it is just like the shares in the share market. I do not think either he or I have known what a share market is and what speculation in shares is. The mere fact that he compares *bona fide* purchases made before 1939 to the dealings in share market shows how much more ignorant he is than I am of the share market. When the shares are purchased, people know that the value of the shares may either go down or go up; when the value goes up, they sell the shares and make money, but when it goes down, they keep quiet, wait for an opportunity and then sell when there is better value. In the case of these estates, however, they never expected or indulged in speculation at the time of their purchase. They wanted an investment for their hard-earned money and so they purchased these estates. There are many persons who have become estate-holders who would never have dreamt of becoming so but for the income which they earned from their trade or other business which they were running. My hon. Friend Sri Venkata Rao has always tried to deride any argument put forward because it is against his pet theories. I am trying to point out how the incidents of shares is quite different from the incidents of property. But for the fact that they wanted some investment for their earnings, these purchases would not have been made. Is it now fair to deprive them of the full value which they are entitled to? My friend is always obsessed with the idea that some zamindar has purchased his estate out of the income he derived by rack-renting the ryots and so he is not entitled to full value for such purchased estates. But there are estates which have been purchased by people who were never estate-holders. Should they be thrown into the streets? That is my point. The Hon. Minister may say 'we cannot make provision for exceptions'; but a law which tries to do away with private property and the incidents attached to property must take care to see that not even one person is hurt when the acquisition of that property is done by statute even if it be in public interests.

"As regards the second proviso, the Revenue Minister told us that the Government are going to pay the whole cost of survey operations and what the ryot will be asked to pay is only the cost of stones, as in the case of the ryotwari land. But there are some estate-holders who have surveyed their estates at their own cost perhaps paying to the Government for doing the survey operations. Should they not at least be paid back what they have spent on those survey operations? That is all I am suggesting here.

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"I am suggesting these two provisos, Sir, on grounds of equity and justice. I may tell my hon. Friend that, with all his good intentions, if he persists in perpetrating this kind of inequity, his Bill may come under section 299 of the Government of India Act. With these few words, Sir, I move the amendment."

* K. T. M. AHAMED IBRAHIM SAHIB BAHADUR :—" Sir, I second the amendment."

MR. PRESIDENT :—" The House has missed you for a long time."

* K. T. M. AHAMED IBRAHIM SAHIB BAHADUR :—" I do not think so, Sir; because we know what the fate of these amendments is, and however much we may move them, they are immaterial so far as the Government are concerned, and nothing will make the Hon. Revenue Minister feel that what we say is correct."

"So far as this amendment is concerned, my hon. Friend has advanced one argument, viz., that there are estates which have been purchased by persons other than zamindars. That is the point I have been pressing from the very beginning. These persons if they had invested their hard-earned money in other fields such as on the purchase of ryotwari lands or buildings or invested in banks, their money would be intact; but because they purchased these estates, they have now to lose a great part of their money. I must point out, Sir, they are not solely responsible for the purchase of the estates; this Government are themselves responsible. This Government have been treating the zamindars as proprietors of the soil, they have allowed them to mortgage the estates, and to sell them and at no time did they say 'you cannot sell them because you are only tax-collectors and commission agents.' You, as a lawyer, Sir, will appreciate when I say that the principle of ostensible ownership should be applied to these estates. The Government have been a willing party to the purchase of these estates by third parties; it is with their knowledge and with their consent that the estates were purchased. Therefore, under the general principles of jurisprudence, the Government are bound to pay these persons the market value of the property."

* DR. V. K. JOHN :—" Sir, this amendment relates to a case which exposes the injustice perpetrated by this Bill. It is so patent. I have an instance where a person bought an estate for Rs. 20 lakhs, and what he would get under this Bill is Rs. 5 lakhs. I say this Bill if passed into law will create such a disorder that the economy of the villages would be destroyed. It would have been much better for the Hon. Revenue Minister to let loose on these estates thousands of man-eating tigers. The people and those interested in the welfare of the ryots would be put to so much fear and confusion and so much loss as they would be if you had let loose man-eating tigers on them."

THE HON. SRI KALA VENKATA RAO :—" Sir, I have no tiger to let loose on anybody, not even on estate-holders, not even

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on Dr. John who espouses their cause; nor am I even a man-eater (laughter). The point raised by this amendment is that estates have changed hands since 1802. It is true. As I told you earlier, when we fixed the peshkash at nine-tenths, the zamindar sold away the estate. I understand even before 1856, nearly 40 to 50 per cent of the zamindaris changed hands; there may have been subsequent changes too till very recently. I know there have been cases of purchase in spite of agitation in the country, even in 1945 and 1946. That being so, when they wanted to make an investment on land—I did not use the word speculation—they paid a competitive price. In many cases, X wanted to purchase and Y also wanted to purchase and as between them they paid a competitive price for the estate. If we agree to purchase price, the compensation would fall into the hands of the gentleman who competed for the purchase of the property; and as I have explained, there is absolutely no reason why these gentlemen should be preferred to others.

“Another point raised by Mr. Suryanarayana Rao was about people who have purchased estates, who were not estate-holders earlier. I do agree with that point; I can quote a hundred instances where a gentleman was a legal adviser to the estate and got a lot of money and later on purchased the estate itself or a nearby estate. Many of the later purchases, at least in the twentieth century, were of that type. Very few gentlemen like my hon. Friend Mr. Gopalakrishnayya purchased the estates in the usual course. Even to-day, his status, his influence and his position in the country as a ryotwari pattadar are great and he is a leading man in the Kistna district. But, in the majority of cases, these people paid competitive price, and so that competitive price should not be the basis for payment of compensation. I am therefore unable to accept the amendment moved by my hon. Mr. Suryanarayana Rao.”

The amendment was put and lost.

* SRI A. GOVINDACHARYULU :—“Sir, I move—

Add the following at the end of clause 37 :—

‘The compensation payable to the purchasers of inam estates or part thereof shall not be less than the amount paid towards the purchase and they shall be paid the total sum paid by them towards the purchase or the compensation as specified in this section above, whichever sum is higher.’

Sir, this amendment also stands on the same footing as the previous amendment; only it speaks about inamdars instead of zamindars who got more money out of the estates. These inamdars had very small income out of their small estates. Suppose an inamdar gets about Rs. 200, generally 20 times or at best 35 times is paid; but there is no competitive purchaser at exorbitant prices as in the case of zamindars, as pointed out by my friend just now. So, the only question to be decided is; if the Rs. 200 income is reduced to

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Rs. 60 or Rs. 50, and even if twenty times that amount is paid, the total amount would come to about one-fourth of the amount invested by the gentleman on it. It will be a great hardship on these small owners and it is not at all just. The Transfer of Property Act is still there; it has not been amended; and it is not stated that sale and purchase of lands will be invalidated under the law. So, I submit it is unjust to pay less than what the person has actually paid for the purchase of inam land. I, therefore, request that my friend, the Revenue Minister, will be pleased to accept this amendment at least."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I second the amendment."

* DR. V. K. JOHN :—" Sir, on a point of order. I want a ruling on this point of order, Sir. Is it in order for a Member to move an amendment with the certain notion in his mind that he is going to withdraw it later on? Every amendment moved by any Member on the other side is to be withdrawn and not to be voted upon. Is it in order for a Member to move an amendment with the notion in his mind that he should withdraw it later on? "

MR. PRESIDENT :—" If you can devise some method by which I can read his mind, something can be done." (Laughter.)

THE HON. SRI KALA VENKATA RAO :—" No other point has been advanced except the poverty of the inamdars. As regards inam estates, we have shown favour to them and even Sir Lakshmanaswami Mudaliyar pointed out the incongruity involved in the business on the ground there are two bases. I am sorry, Sir, I am unable to accept the amendment."

The amendment was, by leave, withdrawn.

Clause 37 was put and carried.

Clause 38.

* SRI R. SURYANARAYANA RAO :—" Mr. President, I move—

' Omit the word " inam " wherever it occurs.'

" My object is to fix the liability of the Government in respect of the property of the estate whether it is inam or any other estate which is given for religious, educational or charitable institutions. There are several kinds of estates which may be taken away under this Bill, the income from which was used for the maintenance of religious, charitable or educational institutions. According to the wording of the clause the tasdik allowance is provided only when an inam estate or part thereof was held immediately before the notified date by my religions, educational or charitable institution, so that this provision does not refer to other types of estates. My object is to secure the income from all estates and not only inam estates if they were intended for the maintenance of charitable or educational institutions."

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MR. PRESIDENT :—“ If an estate was originally meant for the maintenance of a charitable, religious or educational institution, they said that they would make it good. If any religious institution purchases from its surplus income an estate, there will be no difference between that institution and any other purchaser of an estate; as a matter of fact what is the difference between this one and the other? What the Government seem to feel is that those institutions cannot be treated differently from any other ordinary purchasers.”

SRI R. SURYANARAYANA RAO :—“ No Government will be pleased to argue in the way you are putting it.”

MR. PRESIDENT :—“ You will hear about it from the Government.”

SRI R. SURYANARAYANA RAO :—“ As long as the income from these estates is utilized for the purpose of promoting the objects for which these educational or charitable institutions or religious institutions exist I do not think any Government can take objection to my proposal.”

MR. PRESIDENT :—“ That is how I understood the viewpoint of the Government.”

SRI R. SURYANARAYANA RAO :—“ I had an apprehension that that might be the view though they are undertaking to run a large number of institutions. I suggest that the word ‘ inam ’ might be omitted.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Mr. President, I second the motion.”

MR. PRESIDENT :—“ The question is that—

‘ in clause 38 the word “ inam ” wherever it occurs shall be omitted.’ ”

THE HON. SRI KALA VENKATA RAO :—“ I am glad you have interpreted very well the mind of the Government. If it is a zamindari estate that was given as an endowment, we have said in another clause that we are taking up the management of the institutions and maintain them and where inams have been endowed this section applies. We will use the money for the purposes of the religious or educational institution to which such endowment had been given. Regarding the Tirupati estate, we have to run many institutions; but a fancy price of about 72 lakhs of rupees was paid by the Mahant. What is the Government to do; everybody knows that it was a non-paying concern till a year ago.”

MR. PRESIDENT :—“ Was it a fancy price? ”

THE HON. SRI KALA VENKATA RAO :—“ At that time it was, Sir. I say it from what we see and from the results that followed the purchase. The difficulty is the management itself asked the Government to take over that estate in 1942. On all these

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cases the Government is asked to pay a huge compensation. It would be difficult. Administratively we can do anything when once we take up the management because there are already endowments given to them. We can convert them into script and after all agriculture is not yielding more than 3 per cent nowadays and therefore, we will make sufficient arrangement to see that the institutions are run and I say, Sir, that no educational institution is going to suffer. It will be hard upon the Government to bring all estates under the purview of this section."

MR. PRESIDENT :—" It is not a question with regard to educational institutions alone; what about temple itself? "

THE HON. SRI KALA VENKATA RAO :—" We never want to undertake it. While we do not want to incur any inconvenience, the prosperity of the temples in the future must depend upon the *bhakthi* of the devotees."

MR. PRESIDENT :—" I am not asking you to take up the management of the Tirupati temple. My point is whether this does not apply to a temple. Supposing some villages are endowed you will not take up the management; you are taking over the villages giving the temple whatever income it was getting. Why do not you apply the same thing to Tirupati? "

THE HON. SRI KALA VENKATA RAO :—" The whole thing is that compensation on zamindari basis is required. As a matter of fact, we have to run those colleges. There were certain other properties which were the subject-matter of subsidiary endowments and there was lot of trouble over that question. That question came up for examination before the Government and we have not finished examination. We can get things done in the manner we want administratively. It would be difficult if legal restrictions were imposed upon the future administration over the matter."

The amendment was put and lost.

Clause 38 was put and carried.

* SRI R. SURYANARAYANA RAO :—" Mr. President, I move—

" Omit the words " in any court of law " and " or any other authority or to be questioned by any court of law " "

This clause deals with the determination of basic annual sum and of total compensation. It is to be done on certain principles and determined by the Director of Settlement in accordance with those principles. The Hon. Minister may think those may be good principles but I feel, Sir, some of them are of doubtful value. The last clause says that no order passed by the Director under sub-section (1) shall be liable to be cancelled or modified except by the Board of Revenue or be questioned in any court of law. The decision of the Board of Revenue shall be final as regards the basic sum and the total amount of compensation. Secondly, no order passed by the Board of Revenue under sub-section (5) or (6) shall be

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liable to be cancelled or modified by the Government or any other authority or to be questioned in any court of law. The only extenuating factor is that the Government have not taken power to overrule the decision of the Board of Revenue but that does not afford any consolation to those affected by the basic sum and the total compensation fixed. Later on, Sir, I have suggested an appeal to the Special Tribunal and at present we want to provide that these orders of the Board of Revenue shall not be final but that they shall be liable to be questioned in any court of law by the aggrieved party. This is a very important question and I commend this for the acceptance of the House. We have been complaining that this Government are bringing forward Bills taking away the jurisdiction of the courts of law. Later on in the matter of the division of compensation, an appeal is provided to the Tribunal, to the Bench of the High Court. But my purpose in moving this amendment is that even in regard to the basic sum and the total compensation, the aggrieved party should go to a court of law and see that the principles laid down under this Act have been properly observed first of all by the Director of Settlement and later on by the Board of Revenue."

SRI M. D. T. RANGANATHA MUDALIYAR :—" I second the motion."

MR. PRESIDENT :—" The question is—
"In sub-clause (7) omit the words "in any court of law" and "or any other authority or to be questioned in any court of law"."

"I suggest to the hon. Member to read the clause with the omission suggested by him."

SRI R. SURYANARAYANA RAO :—" I am sorry it is a mistake; but my object is that no order passed either by the Director of Settlement or the Board of Revenue shall be final and there should be a provision for appeal to a court of law."

MR. PRESIDENT :—" The amendment is not properly worded to bring out the hon. Member's intention."

SRI R. SURYANARAYANA RAO :—" I have no objection to correctly word it provided it gets through. I am sorry I did not take proper advice."

* K. T. M. AHAMED IBRAHIM SAHIB BHADUR :—" Mr. President, I have explained the position sufficiently during the general discussion and that is the reason why I am seconding the motion to-day. Provision is made for a second appeal to a Judicial Tribunal in cases where private parties are concerned but in cases where the Government themselves are a party, the Bill has not provided for any appeal. The decision of the Government or rather the decision of a subordinate executive officer of the Government is treated as final. Therefore, I object."

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MR. PRESIDENT :—“ The amendment is wrong; I think it must be to omit the clause.”

* K. T. M. AHAMED IBRAHIM SAHIB BAHADUR :—
“ The intention of my friend was that there must be room for an appeal to the Judicial Tribunal.”

* MR. PRESIDENT :—“ But you cannot amend it as it is.”

* DR. V. K. JOHN :—“ Mr. President, I wish only to tell the Government how unfortunate the drafting of clause 39 (7) is. It says that the order passed by the Board of Revenue shall not be liable to be cancelled or modified by any authority and no court and no Government and nobody can do it. You, Sir, as a lawyer know that unless the power of review is conferred by statute no court of law or any judicial or quasi-judicial authority can review its own judgment or order. Now, Sir, the Board of Revenue is human and might make mistakes and who is to correct them? It cannot even review its own orders. What is the position now? If it makes a mistake and reviews its own orders, it is open to anybody to move the High Court for a *writ of certiorari* or *mandamus* saying that that authority has no jurisdiction to review its own orders. I am asking why the Board cannot be given the power of review. I am at a loss to know why the Government fight shy of it; they could have at least given the right of review to that authority.

“ The persons who assist the Government in drafting, are ignorant of the first principles of law.” 2-15 p.m.

THE HON. SRI KALA VENKATA RAO :—“ Sir, this point also was discussed threadbare on the floor of the House when the question of jurisdiction came up for discussion. If we agree to the question of quantum should be gone into by a court of law, there will be appeals to various courts. You cannot fix it to a particular court, and it will take time and we cannot give effect to the provisions of the Bill as we wish. After all, it is an arithmetical calculation—one-third of something *minus* something and multiplied by something. There is no possibility of any mistake being committed. Therefore there is no necessity for any such power to be given in this clause. Apart from this, I do not like to enter into a discussion with Dr. John about the capacity of the Government or the Legal Department. This much I can assure him that if there is anything particularly wrong, we will ourselves bring an amendment.”

MR. PRESIDENT :—“ Is Mr. Suryanarayana Rao withdrawing the amendment?”

SRI R. SURYANARAYANA RAO :—“ Yes, Sir, I am withdrawing the amendment.”

The amendment, by leave of the House, was withdrawn.

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MR. PRESIDENT:—"The question is—

'that clause 39 do stand part of the Bill.'"

The motion was carried.

Clause 40.

MR. PRESIDENT:—"The amendment to sub-clause (2) of clause 40 is in the name of three persons. Who is going to move it?"

* DR. V. K. JOHN:—"Sir, anybody can move it. Anyway, my name comes first and I have the privilege of moving this amendment."

MR. PRESIDENT:—"I thought you might enjoy Mr. Govinda-charyulu moving it."

DR. V. K. JOHN:—"No, Sir.

"Clause 40 deals with the payment of compensation in the manner prescribed by rules made by the Government. Sub-clause (2) says—

'Such rules shall be subject to the approval of the Provincial Legislative Assembly.'

Now, Sir, everybody knew or must be presumed to have known the existence of the Legislative Council, this Upper House. This matter concerns the dignity and privilege of this House. And I would once again ask the Hon. Revenue Minister not to enforce party discipline—I would call it party 'tyranny'—upon the Members of this House and ask them not to support this amendment. I say, it ought to be 'the Provincial Legislature'. Any rules must come before this House also. It is not correct to ignore this House and whoever has chosen to ignore this House has committed a grave error of judgment, if not anything else. This is a matter concerning the dignity and privilege of this House and I trust, Sir, you will also exercise whatever influence you possibly can and see that nobody brings forward a rule to the effect that the Assembly will be consulted and not the Council. I say it is an affront to the dignity of the House and I ask every hon. Member in this House to vote for this amendment. I am going to call for a division and let every Member see that this is a matter concerning this House and every Member of this House.

"Sir, I move—

'that in sub-clause (2) for the words "Provincial Legislative Assembly" the words "the Provincial Legislature" be substituted.'"

MR. PRESIDENT:—"I should like to hear Dr. Lakshmana-swami Mudaliyar in this matter as he was in the Select Committee."

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DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—“ Sir, you were not present when I raised this fundamental objection in my opening speech and said that it was certainly very regrettable.”

THE HON. SRI KALA VENKATA RAO :—“ Sir, as I have already said the words ‘ the Provincial Legislature ’ were in the original Bill. But in the Select Committee certain arguments were advanced and in spite of myself arguing against them, the Select Committee adopted this amendment. Therefore, as I have already said on the floor of the House, the Government are prepared to bring these rules under rule 40 by a special motion before this House if it is legally possible or if it is not possible before such rules are adopted, I would bring an amending Bill so as to provide for the Legislative Council also to discuss it. By simply accepting this amendment now—though I want to accept its principle—I will be unnecessarily delaying the passage of the Bill for another two or three months. By this, I do not mean any disrespect to the House. Therefore, with this assurance I appeal to Dr. John to withdraw the amendment.”

* DR. V. K. JOHN :—“ Sir, what is the use of bringing this Bill before this House if the Government have decided that—even on a matter in which they agree with us—they cannot accept any amendment for the sole reason that it has to go back to the Assembly for approval? What does this mean? This means that the whole business is a farce. As the Leader of the Opposition, I cannot be a party to it.”

MR. PRESIDENT :—“ What the Hon. Minister said is that it will delay the present legislation.”

* DR. V. K. JOHN :—“ They can call a meeting of the Legislative Assembly next week and have this amendment passed by that House. This, they are not prepared to do. Then, what is the use of our sitting here and participating in the discussion of this Bill? The whole discussion in this House is reduced to a farce. I am sure, nothing will go to the other House. That is why I ask for a division in the matter.”

MR. PRESIDENT :—“ I think, Mr. Narayanaswami Nayudu's amendment also can be taken along with this amendment.”

“ What does the Hon. Revenue Minister propose to do with these amendments? ”

THE HON. SRI KALA VENKATA RAO :—“ Sir, I am not going to accept the amendment for the reasons I have already stated. I have been very reasonable in this matter but the Opposition does not appreciate it.”

MR. PRESIDENT :—“ Somebody told me that the Assembly is likely to meet sometime next month.”

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THE HON. SRI KALA VENKATA RAO :—“ Sir, it will not meet till the third week of January.”

MR. PRESIDENT :—“ The question is—

‘ For the words “ the Provincial Legislative Assembly ”, substitute the words “ the Provincial Legislature ”; and after the word “ Assembly ”, add the words “ and the Legislative Council ” ’ ”

The amendments were put and declared lost and on a poll being demanded once more by Dr. V. K. John, the House divided thus :

MR. PRESIDENT :—“ By this division we shall see whether the House will vote against itself or not.”

Ayes.

- | | |
|---------------------------------------|--|
| 1 Sri R. Suryanarayana Rao. | 6 Dr. Sir A. Lakshmanaswami Mudaliyar. |
| 2 Mrs. M. Hensman. | |
| 3 Sri M. D. T. Kumaraswami Mudaliyar. | 7 Abdul Latif Farookhi Sahib Bahadur. |
| 4 Sri A. Gopalakrishnayya. | 8 Dr. V. K. John. |
| 5 „ B. Narayanaswami Nayudu. | 9 K. T. M. Ahmed Ibrahim Sahib. |

Noes.

- | | |
|-----------------------------------|------------------------------------|
| 1 The Hon. Dr. S. Gurubatham. | 11 Sri C. N. Muthuranga Mudaliyar. |
| 2 „ Sri K. Madhava Menon. | 12 „ S. Jayaram Reddiar. |
| 3 „ Dr. T. S. S. Rajan. | 13 „ M. K. Sundarama Ayyar. |
| 4 „ Sri O. P. Ramaswami Reddiyar. | 14 „ C. Perumalswami Reddiyar. |
| 5 Sri B. Bhima Rao. | 15 „ G. Venkata Reddy. |
| 6 „ M. Narayana Menon. | 16 „ D. Krishnamurthy. |
| 7 „ N. Sankara Reddi. | 17 „ N. Ranga Reddi. |
| 8 „ M. Narayana Rao. | 18 „ t. Veeraswami. |
| 9 „ P. Veerabhadraswami. | 19 Mr. A. S. T. F. Rodriguez. |
| 10 Dr. U. Rama Rao. | 20 Sri S. B. Adityan. |

Neutral.

- 1 Sri K. Natarajan.

Ayes : 9 ; Noes : 20 ; Neutral : 1.

The amendment is lost.

3-30
p.m

SRI S. B. ADITYAN :—“ May I know, Sir, whether the assurance given by the Hon. Minister for Revenue that he will be bringing an amending Bill still holds good in spite of the voting of the House just now? ”

THE HON. SRI KALA VENKATA RAO :—“ Yes, Sir, I am not going back on my word.”

Clause 40 was put and carried.

Clauses 41, 42 and 43 were then put and carried.

Clause 44.

* DR. V. K. JOHN :—“ May I state, Sir, with regard to the other amendments given notice by myself and other members of the Opposition, that we do not propose to move them in view of the voting on the previous amendment, by which, in effect this Council

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has abdicated its function. I call it not party discipline but party tyranny. There is no purpose in moving further amendments and so we propose to move no further amendments on this Bill."

Clause 44 was put and carried.

Clauses 45, 46, 47, 48, 49 and 50 were put to vote and carried.

Clause 51.

SRI R. SURYANARAYANA RAO:—"I do not propose to move any amendment, Sir."

Clause 51 was put and carried.

Clauses 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68 were then put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI KALA VENKATA RAO:—"Sir, I beg to move—

'that the Bill be passed into law.'"

* SRI B. BHIMA RAO:—"I want to say a few words on this Bill at the third reading stage. On the first day, when this Bill was moved in this House, I was one of those who spoke for the exclusion of the inams from the purview of this Bill. You were not present, Mr. President, on that day. Sir, I had sought for some information after studying the Bill as soon as I got it; I specially requested your office to give me that information by the 18th instant; but that information was given only the next day, the 19th instant, after my special request. That information was given by the Hon. Minister and it showed that out of eight thousand and odd applications preferred under section 185-A of the Amending Act of 1936, only two per cent were successful. That is, Sir, those who had the melvaram as well as the kudi-varam interest only formed 2 per cent of the estates, and 98 per cent were, what were called, 1908 inams, coming under the purview of Act I of 1908. That being so, Sir, as you observed in the very first instance, the principle that was applicable to them was identically that of the zamindar. But my point of view in supporting the exclusion of the inams is that their origin was quite different. It is only this point of view that I wish to deal here now and I shall finish what I have to say in three or four minutes.

"The origin of these inams especially in the districts of Bellary and Anantapur with which I am concerned, is not by way of gift by zamindars—in fact there are no zamindars in these two districts. These gifts were made by ancient Kings like Krishnadeva Raya and others before him. My submission was they were made for learning and culture and they ought not to be resumed. But anyhow the Hon. Minister has provided for a larger scale of compensation in the case of those inams especially when the incidents of those inams are more or less analogous to zamindaris. In the case

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of 98 per cent of them I plead—I have received several representations of printed memoranda from several inamdars showing that there are several instances in which between 1939 and the date of introduction of this Bill, several people have purchased inam villages worth Rs. 28,000, for which according to the present scale, compensation will not come to even 10 per cent of that value. As you said, the Prakasam Committee has said that the inams should be excluded altogether. Even Mr. Karanth's Bill excluded 1908 inams and it only related to three categories coming under section 3 (b), (c) and (d). That being so, I only enter a plea on behalf of those people who are affected by this Bill that the Government in its executive capacity may give ex-gratia compensation to those holders of inams. The Hon. Minister knows that in the Tungabhadra Project Scheme, where though the notification was made in 1941 for the acquisition of lands for the purpose of the scheme, cent per cent compensation is now given. For, a land worth in 1941, Rs. 100, has now risen in value cent per cent; and so, though the owners of land get through Court only 115 per cent, the balance of 85 per cent of the value they got from Government. So I appeal to the Hon. Minister concerned for a sympathetic consideration of this point of view and say that there must be some ex-gratia compensation paid to these inamdars."

3-45
p.m.

MR. PRESIDENT :—" How can he do it in the face of this Bill?"

* SRI B. BHIMA RAO :—" The Government are doing it in the case of the Tungabhadra Project. Under the Land Acquisition Act, they can pay only 115 per cent. But they are paying more."

MR. PRESIDENT :—" There is no legislation there. But there is legislation here."

* SRI B. BHIMA RAO :—" There is legislation—the Land Acquisition Act I of 1894. It authorizes the Government to pay only 15 per cent more. But they are paying an additional 85 per cent in their executive capacity. In the same way, I appeal to the Hon. Revenue Minister to treat this matter sympathetically."

* DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—" Mr. President, Sir, it is now six long days since this Bill was introduced in this House and during these six days there has been a considerable amount of discussion on most of the clauses that were incorporated in this Bill. I am afraid that it will serve no useful purpose for any one of us to speak about the Bill at this stage, for its fate is pre-destined. It is going to be passed by this Council and become law in a few minutes and, I suppose, if circumstances beyond the control of the Hon. Revenue Minister prevent it from becoming law at once, it will become law in the course of a few weeks. I cannot, however, congratulate the Hon. Revenue Minister on the pyrrhic victory that he is likely to achieve in this Bill. I am afraid that the historian of the future will

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record the day on which this particular piece of legislation is passed as indeed a historic day from many points of view, for it seals the fate of everything pertaining to equity and justice which we consider dear. New principles have been evolved in this Bill, new policies have been enunciated, new directives have been given. I repeat what I said in my opening remarks. The Hon. Revenue Minister was full of earnestness, zeal and sincerity, and I pay him without any hesitation my due meed of praise. But he will be sorry when these new principles are to be operated by others who may succeed to the Government of this Province or of this country. At a time when the world is being shaken to its very foundations and people are losing all sense of values, we in this House are passing a measure that will usher in the day when the sense of values will disappear altogether even earlier than would be the case otherwise. Let me give a few instances to show why I hold to this feeling with so much sincerity and anxiety.

"Sir, in the Bill you will notice that certain dates have been given. The 1st of July 1939 will be an epoch-making day and the 1st of July 1945 will be another. I ask you to consider the significance of these dates. It has been said that the Congress Party gave in its election manifesto the information that it was likely to implement a certain measure when it came into power. It was also pointed out that in the discussions that took place at an earlier stage the then Hon. Revenue Minister made it clear that he was going to introduce a certain measure. I understand something of political parties and election manifestoes of political parties. The manifestoes are intended to be implemented from the time the party comes into power. From that point of view, I have no doubt, whatsoever, that this Government and the Hon. Revenue Minister in particular are certainly following the principles that have been enunciated in the election manifesto of their party. If they had remained content with that, I could understand. But when they introduce these dates because the election manifesto said something, what are they leading up to? I will give an illustration. The Socialists in their election manifesto are stating something. The Communists are stating something. Suppose in the year of grace 1955—I put it as far as possible so as not to frighten the hon. Members opposite (Laughter)—suppose in the year of grace 1955, the Communists come into power and say: 'Well, in 1947 we said that we would pass such and such legislation when we would come into power. Therefore we want to ante-date and say that everybody who was in enjoyment of more than one house with a floor area of say, one hundred square feet, shall be deprived of all their houses in excess of one.' Suppose also they say that the owners should pay with retrospective effect the rent that they had collected from 1947 which they would not have got if they had not been in enjoyment of those houses from 1947! I ask: Is that a principle that you are going to accept?

"Let me give another illustration. You know that the question of levying death duties is being considered in another place.

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That question was first raised under the old bureaucratic régime, but it was not pushed through. Suppose the party that comes into power in the Imperial Legislative Assembly—I do not know whether I can use that expression—or in the Constituent Assembly as it is so beautifully constituted to-day, the party that comes into power in the year of grace 1952 decides to levy death duties. Suppose also that they point to the Act or rather the intended Act of Sir Jeremy Raisman and say: 'These duties ought to be levied from the time the Act was mooted. Let us turn the people that are in their graves and impose death duties on them.' What is there to prevent them from doing so? This fixing of dates is analogous in my opinion to the legislation that may be passed by a future Government on the basis that the principle of that legislation had been incorporated in the election manifesto of their party. Nowhere have I seen this procedure of following election manifestoes and giving retrospective effect. As I understand them, election manifestoes are there to be implemented from the time the party comes into power and they should never be given retrospective effect. I have already spoken on the various clauses of the Bill to the best of my knowledge and ability. Some of the clauses are really expropriatory. Take for instance, the clause dealing with buildings in estates. No doubt, the Hon. Revenue Minister said that the buildings were small and that they were not of much value. That is all the more reason why they should not be expropriated. The principle it is we object to, and not the cost. I know some zamindars had put up buildings. Have the Government waived any part of the peshkash in the case of such zamindars? The Hon. Revenue Minister says: 'These buildings have been used for the purpose of collecting rent. Hereafter we are going to collect the rent and therefore they should surrender the buildings to us.' It is a question of might deciding the right and not of equity and justice. Let me take another example. To deal with all cases relating to compensation, we pleaded that there should be some machinery set up which could as far as possible satisfy the public that it is a judicial body. The Bill proposes the Board of Revenue which, as I said, is an agency subordinate to the Government. The explanation was given that the Board of Revenue was not a law court and that therefore these endless legal proceedings would not arise. The Hon. Revenue Minister, however, admitted, when I asked for further enlightenment, that lawyers could possibly appear before the Board and plead the cause of their clients. By that admission he has cut the whole of the ground on which he stood. When lawyers can appear and plead, why should not that authority be a person of a judicial capacity sitting in judgment as a *persona grata* if necessary, or a court or a tribunal from which there could be no further appeal? I have already asked and I repeat the question now: Is the Board of Revenue the most competent body to deal with these very very intricate questions of expropriation? The Hon. Revenue Minister always tries to make his explanation so beautiful that I have also fallen a victim to him in spite of my preparedness to the contrary.

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When he gets up and speaks, it looks as if his speech is all right for the time being. It takes at least four or five minutes to realize that he has been speaking in a way that has captured my heart and not my head. He said that the Board of Revenue was concerned only with mathematical calculations. If that is so, I place the Mathematics department of the University of Madras at the disposal of the Hon. Revenue Minister and ask him to accept their services, because I am not so sure of the mathematics of the Board of Revenue. I ask another question. This is a very complicated and intricate problem. I have realized this the more I listened to the debates on every side, the more I sat in the Select Committee, the more I read the proceedings of the Legislative Assembly for light when it was not forthcoming at all. Particularly the more I listened to the discussions on the floor of this House, I realised what an intricate problem it was. The Board of Revenue is a changing machinery. You have only to see the notifications issued in the Gazette to realize how many changes there have been in the Members of the Board of Revenue within the last two years. I ask you whether a Member of that Board is not the Inspector-General of Police now. I do not know which other Members may be similarly translated. The Members who are there this month are not there next month. Between the time of the arising of a question and its final settlement, the Members may change. The Government feel that their officers know everything. The Director of Industries knows nothing except the kitchen industry of his own home. That is the point about which we are worried. From the Government's point of view, the Board of Revenue may be omnipotent. But I feel very grave doubts whether, in a most complicated measure like this, the Board of Revenue could properly carry out the functions which have been assigned to it. So far as the intentions are concerned, they are excellent. About the intentions of the Hon. Revenue Minister, I have no doubt whatsoever and I do not propose to speak about the matter in a purely personal complementary sense. If he is given an opportunity, he may carry out what he has said. Sir, it is said that the road to a particular place is paved with good intentions. But we cannot always be sure of those intentions. That is why some of us felt unable to accept his assurances. After all, he is subject to control. When the time for implementing those assurances come, he will be the first man to turn round and say that he is subject to discipline. He will correct me if I am wrong. When he himself is subject to disciplinary control, how can he commit himself or his Government to the assurances that he has given on the floor of this House?

"I will not take up much of your time. I understand that the House has to consider an adjournment motion at 4 p.m.

"A great deal has been said about the disposal of lands. I put forward the plea that it would be a mistake to parcel out these lands to various people at present. I have not got the political sufferers in my mind at all. By all means give them lands. I am not one of those who regret it. Every Government must exercise

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its patronage, and so long as it is exercised in a judicious manner, I have nothing to complain against. Only when judicious considerations are not clearly visible, the public begin to complain. I ask you to consider this seriously. In my opening remarks, I invited the Hon. Food Minister to speak, but he kept silent. In some cases perhaps silence is a golden virtue and my friend knows how to preserve it. I said that if proper care was not taken of lands, there would be a great setback to the Grow More Food Campaign. I said also that modern methods should be adopted for bringing these lands under cultivation if we were to benefit by these lands. The Government have said that they wish to distribute these lands to the Harijans, the backward communities and the landless poor and I thoroughly agree with them. But let them set up a machinery independent of the Government to make the distribution. Let them give to that body freedom to frame the necessary rules. Only then there will be freedom for the Government from the irksome burden due to innumerable persons putting pressure of various degrees and wringing the lands as it were from the Government. I know what I am speaking about. It does not apply to this Government alone; it applies to all forms of democratic Government.

“ I say that these lands should be handed over to the Co-operative department for cultivation. The Government should start well-organized co-operative societies consisting of people who know co-operation, who believe in co-operation, and not of people who know of personal co-operation only.

“ Sir, I will conclude as the time is getting near. It is with great regret that we have to express these views on a very important Bill on which we very much wished that there should have been unanimity. There was a possibility of unanimity. The Hon. Revenue Minister said that about 12 crores of rupees were to be paid as compensation. I asked for a little more information. . . .”

MR. PRESIDENT :—“ The hon. Member can continue his speech to-morrow.”

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—“ I will finish in two minutes, as to-morrow I am not likely to attend.”

MR. PRESIDENT :—“ I cannot help. There is an adjournment motion and it has got to be taken up at 4 o'clock.”

V.—ADJOURNMENT MOTION *RE* RISE IN FARES OF CITY BUSES.

4 p.m. * ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Mr. President, Sir, I rise to move my adjournment motion for censuring the Government for increasing the fares in Government transport buses in the city. Sir, I am really sorry that at least for the pre-

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sent the Hon. Minister for 'Transport is not here, but I must thank him for having agreed to allow this adjournment motion to discuss this very serious and important matter which is agitating the public mind in the City of Madras.

" Sir, you are aware that there has been a great deal of agitation by the public, both in the press and on the platform with regard to the increase of fares in the city transport, but people thought that this proposal would not fructify and that the Government would not put it into force all of a sudden. From the press reports it is seen that when the Advisory Committee met recently to consider the question of increasing the bus fares in the city, the President of the Bus Passengers' Association staged a walk out in protest. People really thought that the Government would take note of this and would not bring about the increase, but would continue the existing rates only.

" Now, Sir, the very object of the nationalization of the bus transport has been defeated by the increase in bus fares. When the Government introduced the nationalization scheme, we were all feeling rather a little bit happy that not only amenities for transport would be increased, not only rickety buses would be removed but also that the fares would be decreased, so that people with little incomes might be able to travel cheaply and with comfort. But it is difficult to understand how the Government have thought of increasing the bus fares, contrary to the expectations of the people. The cost of living, as everybody knows, has already increased considerably and has been increasing by leaps and bounds and it is over 300 per cent of what it was during normal times and now in addition to that, these bus fares have also been increased. How are the people to meet this extra expenditure? People who own cars and people who are rich have no need to worry themselves about this, but what about poor people who have got fixed incomes and low-paid Government servants, clerks, people employed in commercial firms, poor students and other people whose incomes are very limited? If these people are asked to pay 50 per cent more for their transport every day, how is it possible for them to make both ends meet? Sir, this aspect of the question has been completely ignored by the Government, which ought to have been considered very seriously."

MR. PRESIDENT:—" Will the hon. Member please state what the rates before were and how they were increased, so that we might follow the discussion? "

ABDUL LATIF FAROOKHI SAHIB BAHADUR:—" Sir, I have got in my possession a very interesting letter just now received by me from some people, stating what hardships they have been put to, and they have attached some bus tickets also. Sir, the previous rate, for instance, from Central to Triplicane was only 1 anna, but now it has been increased to 1½ annas. The rate from Mount Road to Triplicane was only 1 anna before, but now

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it is 1½ annas. If a man travels from Parry's Corner to Theagaroyanagar, he has now to pay 4½ annas, whereas he was paying only 3 annas before. Therefore about 50 per cent increase has been made in respect of many routes. If fares are increased in this manner, what difference is there between the Government transport and the private transport? The object of nationalization of motor transport was to give greater facilities to people and to lessen the fares. Even to-day, if in a private bus which comes from Saidapet to Parry's Corner, a person gets in at the Teynampet Post office, it is enough if he pays 2 annas to reach Parry's Corner, while he has to pay 2½ annas if he gets into a Government bus which passes that way to the same place. Formerly it was even less."

MR. PRESIDENT :—" Are there still private companies operating in Madras? "

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I am speaking of the infassal bus which comes into the City, Sir.

" Then again, Sir, may I ask the Hon. Minister for Transport whether he has also considered the question of increasing the salary, at least to this extent, of the low-paid Government servants? If he has not done so, how can he expect these people to pay for this extra expenditure to come to their offices? Does he expect them to walk all the distance from their houses to their offices? Even if they could afford to walk, how could they reach their offices in time. If the Government cannot provide them with free conveyances, at least they should see that they do not increase the existing fares on Government buses or at least they should meet this extra expenditure by increasing their pay to that extent. Sir, the agitation is already there, though it is suppressed, because of the fear that the Government would penalize those who agitate. Anyhow, it must be admitted that it would be very hard for them to pay this increase in fares out of their present salary.

" Now, Sir, the other question is this. Where was the necessity to increase the bus fares? The Hon. Minister for Transport said some time ago that the Government transport buses are not running at a loss, but on the other hand they are running at a profit. If so, where was the necessity to increase the rates? On the other hand one would have naturally expected that the rates should be reduced. There is also the other factor, Sir, that the Government are paying a lesser amount for petrol than the private company does. I understand that they pay Rs. 1-11-6 per gallon, whereas private bus companies are paying Rs. 2-1-6. I am not sure of this, but I state this subject to correction. I believe the Government do not pay the tax of 4 annas per gallon."

THE HON. SRI B. GOPALA REDDI :—" Does the hon. Member mean Sales Tax? "

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I do not know what tax it is, but I think they are paying 4 annas less than private transport companies. The Government, it appears,

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also save 2 annas which is the commission that is paid for petrol bunks, which other people will have to pay. I want to know from the Government whether this information is correct. I am also told that the petrol bunk owner gets this commission from the petrol companies, such as Burma Shell, while the Government do not pay such a commission."

MR. PRESIDENT:—"The hon. Member should be sure of his facts before he speaks on the subject."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"Sir, we have to get these facts only from the Government and this is the occasion on which we have to get at the facts. It is not possible for us to get this information elsewhere, Sir."

MR. PRESIDENT:—"Is there any difference in price between the petrol supplied to private people and to the Government?"

THE HON. SRI B. GOPALA REDDI:—"Sir, we are only getting petrol from the bunks and we get the dealer's commission. Even private transport companies like the S.I.B.T. get this 2 annas commission from the Burma Shell Company."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"Sir, big private companies might get this commission. But are there no private owners who own only one or two fleet of buses?"

MR. PRESIDENT:—"I suppose the hon. Member has seen the press interview given by the Government wherein they have stated that these increases are not real increases, but only a rationalization of fares. I think it is better if the hon. Member addresses himself to this aspect of the matter and say how it is not rationalization, but an increase of rates."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"I am sorry, Sir, it cannot at all be called rationalization; on the contrary I am saying that it is irrationalization."

"Sir, I may submit that I came to know from the press report which was published in the 'Madras Mail' of last Friday, that the Hon. Minister for Transport himself has regretted this increase in rates and said that it was done in his absence."

THE HON. SRI B. GOPALA REDDI:—"Did the hon. Member believe it?"

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"Sir, the Hon. Minister says that I should not believe in press reports. It is a very good advice no doubt, but I want to know whether he contradicts the same."

"Sir, it was reported in the 'Madras Mail' of the 19th November that when the public dissatisfaction about the rationalization of fares was pointed out to the Hon. Sri B. Gopala Reddi, the Minister for Transport, he said that the scheme was introduced in his absence and that he would reconsider the matter."

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THE HON. SRI B. GOPALA REDDI :—“ Sir, I said that it was introduced no doubt in my absence, but with regard to the report that I regretted as to what has been done and that I promised to reconsider the matter, I may state, Sir, that they are not at all correct.”

MR. PRESIDENT :—“ It may be for further increase ! ”
(Laughter.)

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Reconsideration means, reconsideration only for the reduction, Sir. If the Hon. Minister for Transport does not want me to believe this and says that this report is incorrect, I have nothing to say about it.

“ Sir, everybody asks what is the justification for this increase. I have already pointed out that with the present increased cost of living all round, people are not able to make both ends meet and if people are asked to pay this increased rates now, how is it possible for them to get on? When this increase has been effected, Sir, what are the amenities that have been provided to the public? What are the reasons that actuated the Government to increase the fares. Have they added anything to the buses or have they given additional amenities to the people? There must have been some factor which induced the Government to increase the rates. We want to know what those factors are which actuated either the Hon. the Minister or anybody else to effect this increase.

“ Then let us come to the nationalization scheme itself. Where was the necessity for it? When private buses were running formerly there was competition.”

MR. PRESIDENT :—“ The hon. Member should restrict himself to the question of fares.”

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ All other things which I may mention are consequential, Sir. When formerly the private buses were there, there was competition between the various companies and the various individuals. And then, the Government would not allow those people to increase the fares. When on any occasion there was an increase even of 3 pies the people agitated and the Government intervened and prevented the bus company from increasing the fares. Now because there is this nationalization there is this rationalization and people think that there is no check upon the Government because of their monopolistic tendency. The Government have been going on arbitrarily without consulting the public and taking public opinion and without having regard to the convenience of the public and without having any regard for the conditions of the poor people and even without regard to their own servants they have increased these fares. Is it not just, Sir, on the part of the people to agitate in regard to this matter? And the agitation has been going on in the press, and on the platform. It is incumbent on the Government to consider that agitation.

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“ Now, Sir, you have asked me to restrict myself to the increase of fares. But people ask other questions. They ask about the condition of the buses because it is on the good condition in which the buses are kept that people wish to pay their fares. For instance if there is a very good and new taxi people will pay more for it. If that is a rickety car people won't pay more. What is the condition in which the Government transport buses are kept? They are rickety and the seats in the buses are torn . . . ”

THE HON SRI B. GOPALA REDDI :—“ Don't get into them. ”

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ This is exactly the hard-heartedness and want of sympathy of the Government. And this is what exactly the conductor says. Probably the conductor has got the infection from the Hon. Minister and the Government and he says ‘ Don't get into the buses. ’ The driver says : ‘ I don't mind whether you get in or not. I will get my salary. ’ They know the mentality of the Hon. Minister. The Hon. Minister says : ‘ Don't get into the buses. ’ (Laughter.)

“ There is the other aspect of the question also, Sir. Formerly when there was competition, and when private people were running the buses if the bus by some chance got out of order on the way the driver who is generally also a mechanic used to attend to the bus and see that the people reached their destination. Now I am told, Sir—I speak subject to correction—that if a Government bus stops on the way the driver has no power to touch the engine. A man from the workshop has to come and he has to attend to the bus. In the meantime the passengers must be stranded. Formerly when the private companies were running the buses the conductor or the driver would see to it that the passengers reached their destination either through a bus of the same company or some other company. If it was not possible for them to do this they used to refund the fares that they received from the passengers. But now people are stranded and people are asked : ‘ All right. Why did you get into the Government bus? ’ The Minister too, you see, Sir, has got the same view. As the driver cannot touch the bus a mechanic will come after 3 or 4 days or after a month and see whether the bus could be moved from that place or not. In the meantime the conductor will tell the passengers : ‘ Don't ask me to put you in some other bus or refund the money. I have already sold the ticket and I am responsible to the Government for that money. ’ Is that the manner, Sir, in which this thing has to be done? Is it not commercial affair, Sir? Is it a political affair? Is it not that either the Government want to get more money or they want to give more conveniences to the public? If the Government want to get more money, Sir, then I would say that this is a wrong policy. What is the Government after all? The Government is a body of people who are there to look to the conveniences of the general public. And if there is a Government which do not look to the conveniences of the general public then it is but right for the people to think that that Government should not be there and if they are helpless to

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oust that Government from office they can only pray to God that this Government should go. That is the only way. If that Government takes upon itself to do something, it must see that it is done for the good of the people and for the advantage of the people. Taking that view, Sir, whatever is done by the Government it is supposed to be done in the interests of the people. And now the nationalization of the bus transport was done or is supposed to have been done in the interests of the people. But now we find that it is detrimental to the interests of the people. If the Government have more responsible things to look to and if they could not take upon themselves this work, the only thing that they could do is to leave it to people who were able to manage it and were managing it better until such time as the Government are free to take on themselves this work.

"I feel, Sir, that this increase in fares has been made in order to meet the expenses in connexion with the huge white elephant organization. Where is the necessity for I.C.S. and other highly paid officers, Sir, for this transport business? Without meaning any discourtesy or disparagement to any officer, I want to ask where was the necessity in a small matter like this where ordinary people could have"

THE HON. SRI B. GOPALA REDDI :—"Can a lower division clerk manage it?"

MR. PRESIDENT :—"The Hon. Minister will have a full chance of replying."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—"Let the Minister also understand"

MR. PRESIDENT :—"What the Hon. Minister meant was that this was a work where a bigger man was necessary."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—"But, Sir, people less qualified than the lower division clerk were able to manage the buses much better than the top-ranking officials. That is the opinion of the public, Sir. And what is the result of these officials being there? When there is this top-heavy expenditure what will the Government get? Therefore it appears the Government thought of increasing the fares in spite of the fact that the Hon. Minister—I do not want to use harsh words, Sir—was hoodwinking the public by saying that the Government were getting more money out of this transport."

MR. PRESIDENT :—"I suppose you are one of those who were hoodwinked. Were you not one of that small party whom the Hon. Minister invited to a conference?"

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—"I am glad, Sir, that I am not generally in those things. Even in regard to a matter, Sir, about which I moved a Bill I was not asked to go there, for instance, the racing affair. Many people were invited to see the races and say whether it was good or not but I was not invited."

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THE HON. SRI B. GOPALA REDDI :—“ The next time I shall certainly invite the hon. Member.”

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ I am not enamoured of any invitation either from the Hon. Minister or anybody else, Sir. I am satisfied, Sir, with the invitation from the poor people to represent them here on their behalf.

“ Therefore, Sir, the big staff is there to manage this big department. Suppose the Government says that one bus should start at a particular time to suit the convenience of the Secretariat staff or other Government servants to come to office. That order reaches the bus time-keeper after one month. That is the red-tapism of the Government machinery. In private companies there is no question of red-tapism? The owner of the company is interested in getting more money and therefore he is interested in giving more amenities and facilities to the public because he wants to become more popular so that the buses may be used. He wishes that more people should enter his buses. Neither the Transport Commissioner nor any Superintendent or whoever he is, is concerned, nor is the Hon. Minister concerned about anybody getting into the bus. He says: ‘ I do not mind. What do I care? If the Government is getting more money it is not going to increase my salary. Therefore it is not my affair whether you get into the bus or not.’ The conductor says, ‘ I will get my salary. What do I care whether you get into the Government bus or not? ’ The driver says: ‘ You better walk out. The bus has stopped and I cannot touch the bus because it is a Government bus. My salary is not in any way lessened on account of this.’ Therefore the point is that there is no responsibility at all. I want to point out that in matters like this there should be responsibility. In private firms, Sir, there was responsibility. The owner was there, the conductor was there and the driver was there. And it was to the common interest of all these people to see that the bus did not stop. If the bus stopped and if the driver did not put it in order he would have been taken to task and his salary would not be paid. That is not the case here. If the conductor did not take in as many passengers as the bus would contain and if he did not bring in a large collection in the night he would not get his salary. Therefore it was his constant care to see that these things were done well. But who is going to ask now? No complaint can be made and if at all a complaint is to be made it must be made to the Hon. Minister. He may be on tour and he may not be able to see the paper for he will be engaged in more important affairs. Therefore, Sir, it is on account of all these things that there has been agitation for a long time. Therefore this matter has to be taken into consideration very seriously. Now, Sir, the Hon. the Leader of the Opposition, Dr. John, says that the Government should be condemned in this matter. Sir, condemnation is from the whole public of Madras; condemnation is from all Government servants who travel in the Government buses; condemnation is from the poor students who cannot afford to go to their schools and colleges in time for their studies; condemnation

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is from the poor man, the ordinary man, who cannot pay the increased bus fares but has to walk through in order to reach his place of avocation or business. Condemnation is all through from every citizen. It is not a condemnation only from Dr. John or from you or from anybody else but it is a condemnation which this Government should be ashamed of. There may be condemnations. But a condemnation of this character is a condemnation which must affect the Government also. Even though they are in a majority, they must feel in their heart of hearts that matters like this will go a long way to discredit them in public. It will discredit not only individual Ministers but will also lower the prestige of the party to which they belong. Sir, that party, in principle, wants to do good to the people and wants to elevate the people and to lessen their hardships. But, Sir, this Government, I am sorry to say, this Government which represents that party, which claims to represent that party, namely, the Congress party, are increasing the hardships of the people by every step they are taking and thus they are lowering the estimate of that great party in public eyes.

“Sir, there are a number of things and I have got a number of cuttings to show that everywhere there is condemnation.”

MR. PRESIDENT:—“There is no limit of time. The hon. Member may take even two hours!”

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—“I do not want to take time unnecessarily, Sir, because time is not a factor in a matter like this. Whether I say one word or two thousand words, it is immaterial. The very word ‘condemnation’ is sufficient. It will be a best substitute for a speech of two hours and perhaps more. Therefore, Sir, it is not a question of time. With your courtesy, I can take a longer time. You have always been courteous, kind and generous to me. Sir, I think this is a matter in which the Hon. the Minister for Transport has to sympathize with the public. Public condemnation, there may be, it is a different thing. But, if there is a Ministry devoid of human sympathy and if the public are oppressed and depressed on account of this want of sympathy on the part of the Ministry, it is a very very unenviable position both to the public and to the Ministry. Sir, it is a most deplorable position in which the Ministry is placed and is placing the public at large. Therefore, Sir, in the interests of common justice, in the interests of fairness and in the interests of removal of the hardships of the people, the Minister for Transport must reconsider the question more dispassionately and reconsider what his own department have done without having any question of prestige and he should straightaway tell this House, Sir, before you, that he is going to lessen the fares, at least the increased fares—I do not know whether he will lessen the fares prevailing before but I hope he will lessen at least the fares increased now. If he does that, Sir, then the whole public will be indebted to him. I know the Hon. the Minister for Transport is a gentleman who has got sympathy for the public but the difficulty seems to be the machinery through which he has to act and out of

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which he cannot extricate himself. That is the whole difficulty. It is stated in the newspaper that he will reconsider the question. I am not very well versed, but as we know the English language, reconsideration means, not further increase, but decrease. That is what reconsideration means. Therefore, Sir, outside this House and outside any official entanglements, the Minister has shown his sympathy. Even so, he should reconsider this question.

"Then, Sir, another thing which the Hon. Minister is reported to have said is this. He may now contradict it and I have already once seen the Minister contradicting his statement in order to escape from the clutches of the newspapers. Sir, in recent months, we have seen Minister after Minister contradicting what the Press report has said and saying that they have not said so."

THE HON. SRI B. GOPALA REDDI:—"Does the hon. Member suppose that invariably the Press is right and the Ministers are in the wrong? Again, the 'Madras Mail'."

DR. V. K. JOHN:—"Nothing like the 'Madras Mail' but 'The Mail,' a very independent paper."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"Sir, the Hon. Minister is reported to have promised to examine all these questions. The questions were these. It is reported in the 'Mail' as follows:—

'It was then explained to the Minister that the reorganization of the stages would be a great hardship to passengers, that the stages had been arranged arbitrarily, and that stages ended or began at places where normally people did not board or alight from buses. It would also appear that care had been taken to fix stages a short distance from busy places like the Royapetta Hospital, resulting in passengers having to pay half-an-anna more than previously. Another grave inequity was that passengers had to pay double or treble what they would have to pay on the basis of actual distance, for beginning their travel from fractions of a stage and ending it with fractions of other stages.'

The Minister may now contradict. But it is reported that the Minister promised to examine all these questions and that he added that many of these points might be considered in the Legislative Council, on Monday, when the House would take up an adjournment motion by Mr. Abdul Latif Farookhi Sahib on the subject. It is also stated: 'Incidentally the Transport Minister said that they had put a greater number of buses on the City routes and the daily collection, which were previously about Rs. 2,000 on an average had increased by about Rs. 1,000 recently, even without standardization.'

"Now, Sir, I hope the Hon. the Transport Minister will certainly answer these points and I do not want to go into their details. But there is one point which is interesting. The Hon. Minister is reported to have said—I do not know whether this also will be contradicted—that more buses have been put on the routes. As a matter of fact, everybody knows that at least half the number

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of buses are in the workshop. Sir, people say that more buses are in the workshop. I do not know whether any substantial number of buses are in the workshop."

* MR. PRESIDENT :—“ Does the ‘ Mail ’ say that Rs. 2,000 is the daily collection? ”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ It is reported in the ‘ Mail,’ Sir, as follows :—

‘ Incidentally the Transport Minister said that they had put a greater number of buses on the City routes and the daily collection, which were previously about Rs. 2,000 on an average had increased by about Rs. 1,000 recently, even without standardization. ’ ”

THE HON. SRI B. GOPALA REDDI :—“ The rest of the report is as correct as that.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ It may be Rs. 20,000 and there may be a misprint and a cipher might have been omitted.”

MR. PRESIDENT :—“ Is it in figures or in words? ”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ It is in figures but there is only the omission of a cipher. (Laughter.) Now, Sir, the Hon. Minister is reported to have said that more buses have been put on the routes. But, what is the actual position? Well, Sir, if you take your car from Parry’s Corner along China Bazaar, Fruit Market, Central Station and other places you will find a large number of people at bus stands so much so that even for hours together they do not get buses to go to their places. Perhaps they do not feel so much inconvenience when they return from their offices because they may reach homes at 8 o’clock or 9 o’clock, but they feel greater inconvenience when they have to go to their offices in time.

“ Another important thing is this. In trying to get near the bus stand and in trying to get into the bus, people are pushing in and pushing out. There is, so to say, really a tug-of-war. With the passengers pushing in and pushing out, sometimes people get injured and some old people cannot at all get into buses. It is very difficult for them. Then, Sir, what is the meaning of saying that more buses have been put on the routes? I ask, Sir, how many more buses are put on the routes in order to relieve the congestion at the bus stands in the various places. Therefore, Sir, it is necessary that all these things have to be taken into consideration. Inspecting staff have to be arranged to find out as to how many passengers are stranded at various places.

“ Then, Sir, about the cleaning of buses. If the Hon. the Health Minister only happens to travel in one of the buses, he will no doubt feel that he should protest against the department of the Hon. the Minister for Transport for the uncleanness of those buses. Sanitation is totally absent. It is because from the morning till the buses reach their destination, they are not cleaned for

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hours and again in the next morning they start in the same condition. You will find scraps of paper there and every possible dirt is there because the conductor and the driver simply leave the buses in the place of destination and rush out to their homes and there is nobody to look into the buses or to clean those buses and therefore, in the morning, the buses start in the same condition as they were on the previous day."

MR. PRESIDENT :—" And not the day previous to that ! "

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" It is going on. It remains so for months together and there is no cleaning. I want the Hon. Minister for Transport to consider all these points and to appoint people to look after these things. I hope in his reply he will say that all these mistakes will be corrected and more amenities will be given to the people.

" Then, Sir, there are the hangers and the rods which the standing passengers catch hold of while travelling because there are so many jerks. Sir, these hangers have to be provided conveniently. Similarly, there are other grievances and if I am allowed to enumerate all those grievances, I think even two hours will not be sufficient. But, I simply see that the Government are happy over the state of affairs. I would have allowed them to be more happy regardless of what they are doing so that the public may know what answer to give them when they go before them. I would have done that. But as a friend of the Government, I have to point out to them the other side of the picture and put it into their mind. Therefore, Sir, I move that this Government should be condemned for their City Bus Transport policy."

* DR. V. K. JOHN :—" Mr. President, Sir, I think I should mention at the beginning that Mr. Suryanarayana Rao, myself and some members of the Assembly were invited by the Hon. Minister to a conference where figures were given to us. We were taken into confidence on various matters. Whatever some people may say, I am quite satisfied and it is only fair to say that the Hon. the Minister, Mr. Gopala Reddi, the Commissioner, Mr. Hanumantha Rao, and the Deputy Commissioner, Mr. Matthews, have, paid very close attention to this business and are doing their very best. Whatever might be the complaints of the passengers, one thing is quite clear and that is that this department is working well, with officers who are devoted to the work on hand, and are doing their very best. Unfortunately they have inherited a burden which they cannot throw off. Sir, this is a matter which concerns not a few thousand persons, but nearly a million people in the City; it affects nearly 95 per cent of the population, since only 5 to 6 per cent of the population use cars. Even supposing there are 10,000 cars in the City, the number of car-owners will only be 1 per cent of the population, but the members of their family also use these cars, and so, the number of persons using these cars comes to about 5 to 6 per cent of the population. The rest of the people has naturally to resort to trams and buses. Not only persons employed in business concerns, but also Government servants, and

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the members of their family are using these buses. Without any fear of contradiction, I could say that in the case of a person earning about Rs. 50 per mensem, he and the members of his family would be spending nearly Rs. 15 to Rs. 20 on transport alone. That is really a very very heavy sum, for any person, to spend on conveyance and transport. Such being the case, now what have the Government done? The Deputy Leader of the Opposition was asked to give some figures. Sir, I am told that there are about 32 routes in the City, which have been given successive numbers, out of which, I am told, two have been cancelled now. I am not sure about it, but I say that, subject to correction. On 18 routes, the fares have been increased—in the Triplicane-Parry's route from As. 2 to As. 2½, in the Mylapore-Parry's route from As. 3 to As. 3½, and in the Mylapore-Medical College route from As. 3 to As. 4, and so on. So, in general, without any exaggeration, the increase comes to nearly half an anna per head for every journey. Not only that. They have done another thing. The stages have been altered. And if any person gets in at any place, in between these stops, he has to pay an additional half an anna, whether he travels an extra quarter mile or half mile. Thus, for the man who is getting an income of Rs. 50 per mensem, his transport bill is increased by about Rs. 3-8-0 at the rate of about As. 2 a day. And all this, when even the previous fares that he has been paying so far have been sitting tight over his family budget. Sir, we must sympathize with those people. The Hon. Minister for Transport, or the Commissioner or Deputy Commissioner of Transport do not use these buses, except for inspection and so they do not know the strain on the persons with low incomes caused by this enhancement of bus fares. This adjournment motion by the Deputy Leader of the Opposition has attracted great attention in the City, and people are all waiting to see what explanation the Government can give.

"Sir, it is said there is rationalization. Of course, nationalization must be followed always by rationalization, as night follows the day. But the Government have invented a new dictionary. What is nationalization? Expropriation. What is rationalization? Enhancement of the bus fares. The public, Sir, are all deceived, and they do not know the real facts, nor do they know whether this is only a first enhancement, which will be followed by a second, third enhancement and so on. This nationalization started on the basis of the idea that people who were in this transport business had made lakhs and lakhs, if not crores, of rupees, and so the Government got the idea of nationalization in the hope that much money will come out of it. If I remember aright, Mr. Gopala Reddi himself once said that the Government are out to make money, and there was nothing wrong in that. But I have been emphasizing and reiterating the fact that the Government officers, by their very training and upbringing, as a result of the very ideas which they have imbibed from the red-tape system to which they have been all along attached, can never be good businessmen. They can never compete with the businessman. And if Mr. Hanumantha Rao or Mr. Mathews whom the Government to-day have

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put in charge of this Transport business, can make a success out of this business, the Government will lose them as they will no longer continue in Government service. I assure you, Sir, that though the figures that might be given by Government now may show something to the contrary, yet in the long run the Government will certainly lose in this business, simply because the businessman's mind is absent in these officers. There must be this human element in the business, if any profit is to be made out of it. The officers get their pay on the first of every month, if this Government are paying them on the first, or at any rate, before the 5th of the month. They are very little concerned with the success or loss in the business, for after all, if there is any loss, they may be merely transferred from one department to another. On the other hand, the businessman is so concerned with his business, that he will make it a success. And now, if these Government officers have to make a success out of the business, they have simply to increase these fares and that is what they have done now. A great mistake was made, when this nationalization was started, with the result that the common man is put to suffering not only on account of the enhanced bus fares, but even on account of the deplorable condition in which these State buses are now kept. Only the other day, a letter appeared in 'The Hindu' which brought out these things to the fore, and I do not think it would be contradicted. I have not personally got into a bus myself, but I have asked other people who travel in these buses, whether what was written in that letter was true or not. And those people confirmed what was written in that letter.

"Now, Sir, what is the condition of these State buses? We have torn seats, dirty seats, broken windows and leaky tops. The buses are not in the condition in which they were put on the road before.

"I quite appreciate the fact, that Government have recently put lady conductresses in some of these buses. But that has not added to any amenities to the passengers."

MR. PRESIDENT:—"The hon. Member may give some reasons why he appreciates the appointment of lady conductresses." (Laughter.)

* DR. V. K. JOHN:—"Even after that, I have not got into any of these buses, but I understand from other persons, and particularly from the smiling face of Mr. Gopala Reddi that he appreciates these lady conductresses. And we are told, their number may be still increased. And so there may be also music and dancing in the buses. But all that will not satisfy the poor man, who has to travel from one place to another, in these buses every day, and for whom an increment of As. 2 or As. 4 per day on transport constitutes a great budgetary problem. Sir, the Government have increased the bus fares, and they call it rationalization. I think I must give that credit either to the Commissioner or to the Deputy Commissioner, who is here just now, for having found out this word 'rationalization'. Sir, I submit there is no rationalization. If it were rationalization which Government have now done, they would have reduced

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these bus fares. But what have they actually done? They have enhanced the bus fares. And the travelling public certainly condemns the Government for this. And if any wrong figures are given by me or by anybody on the floor of this House, they can certainly be found out in no time. The Hon. Minister cannot rise up and say that the fare has not been increased from As. 3 to As. 4 on a certain route, and from As. 2½ to As. 3 on another route. If he says that, the people know how to characterize his statement. The facts are very clear that people are very much annoyed, and they are really suffering. Personally I think it is not because the Government of the day are unsympathetic to them, or to their suffering, but because they anticipate there will be a loss in the business, they have increased these fares. So, I would only ask them to give up this policy of nationalization, to go back to their old policy; there is nothing wrong in doing so. For, after all, a democratic Government has got to shape its policies, by a trial and error process. The Government of our Province have made a trial in the transport business. And it is high time, they go back to their old policy and leave the field open to private agencies, which will certainly run these buses in a better condition, and will cater to the needs of the travelling public in a much better way than these State transport authorities.

“Another result of this nationalization scheme is that conditions have gone worse even in the mufassal. We have not got good buses even in the mufassal. The bus-owners are not prepared to invest any more of their money in these buses, because they fear that this nationalization policy may be extended to the mufassal also, and Government may take over their buses.

“Sir, Government have now put a lot of money into this transport business—that money is of course from the public revenues. We do not want them to lose. I quite appreciate their difficulty. These Italian Diesel buses which they have bought for about Rs. 45,000 each are plying in the City, making a lot of noise, and throwing into the streets of the City, a lot of smoke. We have got bad-smelling water, and to that my Hon. Friend Mr. Gopala Reddi has added a smoky atmosphere. He is responsible for it, although he only inherited the bus and the smoke. It is quite true, they cannot now sell away these Italian buses—these dirty smoking things—for they may have to pay something to the purchaser and ask him to take possession of these buses! I think it is high time, Government should see that they do not get into disrepute in this manner. They do not know what people in the City are talking everywhere. If you go anywhere, where half a dozen people congregate, whether in a club or in the beach, or in the High Court corridors, you will find they condemn the Government transport policy. If this enhancement of bus fares had been done by any private individuals, the Government could have well-controlled them. It may be that the Government have now started more routes, and have provided some amenities to the travelling public. But yet, I would submit, Sir, that if the whole thing had been left in the hands of private individuals, they would have managed it much better.

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" Sir neither the Hon. Minister, nor the Deputy Commissioner nor the Commissioner of Transport, are responsible for this, individually, but the Hon. Minister in charge of Transport owes a collective responsibility as a member of the Government. I would ask them to reduce the fares at least to the old rates, and satisfy the public. Let them not touch the poor man's pocket. After all, they must look to the common man and his needs, and to the promotion of his welfare. Look to the welfare of the common man first, do not touch his pocket any more. Reduce the fares, and then call it rationalization. Give up this nationalization policy, and leave the field to private agencies once again. Sir, Government servants are required for some other purpose. Why should the Hon. Minister's time which is required for something better, be spent on something which these private agencies could do better? So my advice to Government is that they should give up their policy of nationalization.

" And before I conclude, I would like to repeat that the Government are doing their very best. Every one of the senior Government officers is incorruptible, and is scratching his brains to see whether the business could not be done more successfully. Sir, every one of these officers is, by training, not a businessman, but merely a Government servant. The officer has to use the subordinate servants to carry out his orders and, when some of them were found corrupt, has taken steps to see that every corrupt man is removed. The conduct of these officers is no doubt the best, but their best is not enough. The one thing which the Government can do and ought to do, in my opinion, is to give up this business, and the earlier they do so, the better. And before they give it up, I ask them to reduce these bus fares. If they cannot do that, I propose to divide this House on the motion that the Government be condemned for the raising of these bus fares."

* SRI S. B. ADITYAN :—" Sir, unlike the mover of the resolution, my object is not to condemn the Government but to offer suggestions and advice for the better running of the transport department of the Government. When the Traffic authorities decided to increase the bus fares in the name of rationalization, the Hon. Minister for Transport was away among our troops fighting in Kashmir. It was hoped that on his return to Madras he would take steps to set right the wrong done in his absence, but we find to-day that he is unrepentant over the affair. If it had been stated that this increase of fares was done in the name of anti-inflationary measures, whatever that might mean—there would have been some sense in it. The hard fact is that the bus fares have been increased. Take a concrete case. The fare which was three annas from Tyagarayanagar to Parry's Corner is now 4½ annas. I could have understood if the Hon. Minister had supported this increase on the ground of economics, I mean on the ground of an-inflationary measures, that is to say, on the theory that the less the common man has in his pocket the better. I do not subscribe to that theory. Still if the Hon. Minister had mentioned it, I could have understood it. I could have also understood it, if it was stated that the Government were in need of revenue

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for some productive purpose. Then I believe the public would have accepted the increased bus fares. Did not the public accept the sales tax when it was wanted for a good cause—prohibition?

“The only ground, so far as I could see which is advanced to support this increase in fares, is rationalization. If I understand the meaning of rationalization, I take it to mean something which will appeal to commonsense and reason. What they have done in the name of rationalization is to equalize the bus fares for particular distances and put it at so much per mile. I submit that it is not the only consideration in fixing the fares. For instance, the nature of the route also will have to be taken into consideration. If rationalization means something which is sensible, the nature of the route also will have to be taken into consideration. For instance, in a crowded street in Triplicane, it would cost more for the bus to run, as more petrol would be required, and there would be more wear and tear of the bus. The cost of running the bus in a straight route, in a popular route, will be certainly less than the cost of running it in a less popular route. The Department will also have to take into consideration alternative transport facilities available. From Tyagarayanagar, there is an electric train service which costs three annas up to Beach Station. That must also be taken into consideration as one of the factors in fixing the bus fares.

“Sir, if rationalization was the only object, I ask why the bus fares could not be reduced. Instead of attempting at equalization by bringing the lower fares to the higher level, rationalization could have been accomplished by reducing the higher fares to the lower level. Instead of making the fare half anna per mile, if rationalization was the object, it could have been easily made quarter of an anna per mile and the Government could have earned the praise of the public. But the object of the Government is really to increase the fares. Then, Sir, there is what is known as the telescopic rate in fixing bus fares, by which the subsequent stages are charged less than the first stage. This is done in other parts of the country and in other parts of the world. I believe something could have been done to telescope the charges for greater distances.

“Sir, it is not so much the increase in the fares as the method of introducing it which has caused a great deal of concern to the public. There was no previous announcement, no proper advertisement. The travelling public were caught unawares one fine day when they were asked to pay more. Instances occurred where passengers got into the bus with insufficient money to pay the higher fares and were asked to get down. Why was not sufficient publicity and warning given?

“In regard to the bus fares, there is one thing which a popular Government should note and that is that the public opinion is definitely against this increase of fares. It is not accepted by the public in the way the sales tax was. Ask any passenger who is travelling in the bus, look into any newspaper and you will find that the increase in fares is one of the most unpopular measures ever introduced. It is not only unpopular, but also unnecessary.

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Did not the Hon. Minister say a few days ago that the State Transport was earning profits—I believe he used the words, ‘large profits.’ If the State Transport was already earning large profits, what reason is there to increase the bus fares in the name of rationalization? The bus fares could well have been reduced and in that way made equal for equal distances.

“Sir, there is one other thing to be noted in this connexion, and that is, this is an anti-social measure. It is in the interests of a thickly populated City to have the suburbs developed, but if the cost of travel to and from a suburb 3 to 5 miles away is increased, the tendency of the residents will be to crowd inside the City. People who want to reside away from the City would be discouraged by increase in the cost of travel and it will not help in the proper growth of a town. That is a very important point.

“Then, Sir, there is one other stronger and larger reason which I wish to place before the Hon. Minister. This increase in the bus fares will tend to shatter the belief of the public in Government concerns. It is supposed to be a good social measure for the Government to own public concerns, but this increase in bus fares has cast discredit not only on the transport system run by the Government but has created doubts on the usefulness of all Government concerns. The public are asking: ‘If this is the result of the running of one industry by the Government, what will happen if they begin to run other industries?’ I ask this Government: ‘Would you have allowed a private operator to make this increase if he applied for it?’ Private operators were running buses and it was said they were making large profits by running buses between Tyagarayanagar and Parry’s Corner for three annas. Suppose the same operator had applied to the Government to increase the fares from 3 annas to 4½ annas, would the Government have approved of it? Would the Hon. Minister have allowed it? Would this House have agreed to such a thing? Certainly, Sir, if a private operator is willing to run decent buses between Georgetown and places like Tyagarayanagar for 3 annas, what justification is there for the Government to exploit its monopolistic position and ask passengers to pay 4½ annas? Sir, I am a well-wisher of the Government. I certainly ask the Hon. Minister for Transport to consult those who like me wish well of the Government, people like the President of the Tamil Nadu Congress Committee and others who are friends of the Government and who are in touch with public opinion see their reaction and take the necessary measures which will be welcomed by the public. This is something which touches not only the future of the Government, but which will have repercussions on the future of the party in power. I ask the Hon. Minister to consult responsible men and revise if necessary the policy which he has introduced.”

* K. T. M. AHMED IBRAHIM SAHIB, BAHADUR:—
“Mr. President, Sir, it is on the lips of every passenger that the rates have been increased, while the reply which invariably comes from the Transport Department is that there is no increase but only rationalization and standardization and that the old Government Order of 1947 has been applied in a strictly logical manner.

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Theoretically, the reply of the Transport officer is quite correct so far as the application of the Government Order is concerned. The passengers—especially the poor and the middle and the lower middle class people—are not concerned so much with rationalization or standardization or any other 'tion' as with the money they have to part with. The net result of the so-called rationalization and standardization is that passengers have to pay more than what they have been accustomed to pay all along to the private bus owners. Many instances can be cited. It was $1\frac{1}{2}$ annas from Parry's Corner to Mount Road Post Office, but now it is 2 annas. From Mount Road to Triplicane which is not more than a mile, the fare used to be one anna, but now it is $1\frac{1}{2}$ annas. The one anna stage ends with Paragon Talkies. In many cases, these fare stages begin not at places where the largest number of passengers board or get down the bus, but at half or one furlong away from those places. I cannot complain against the wording of the original Government Order, it is very well worded. It only says that the stages should be fixed in such a way that each stage will as far as practicable approximate to a mile. But the phrase 'as far as practicable' and 'approximate' are conveniently ignored by the Transport officials in carrying out the rationalization scheme. Reasonableness seems to be wholly lacking in the working out of the scheme of rationalization. You cannot learn swimming on a table, but these officers sit in their rooms and fix the bus stages without any reference to the actual facts and the needs of the passengers. If they had applied their minds to this, these things could have been obviated. There are, however, certain bus stages which do not come to a mile. On route 21-P, from Mandaveli to the next fare stage, it is not one mile but less than half a mile. Whether it is rationalization or standardization, people have to pay more now. It is absolutely necessary for the Government to go into the matter again and see whether there is any necessity for this increase in fares. Is it not possible to introduce rationalization without increasing the fares? The 1947 Government Order has been there for more than a year and such a thing has not taken place. Why should it take place now? Do the passengers get any return for the increase in fares? No. When rains set in, there is keen competition between the buses and trams in letting the rain water in. The windows cannot be easily closed or opened. They always stay open or closed and are not amenable to the will of the passengers or the conductors. The result is that when the rains set in, the passengers get themselves completely drenched. I do not know why these buses should be in this condition. There is discontent among the public; there is also discontent among the workers; the workers say they are not being paid properly, that they are being over-worked, that the inspectors complain against them for nothing; some conductors were saying the other day that there were as many as three thousand complaints against the conductors; that most of them were suspended for fifteen days or thirty days without the complaints being enquired into and that the word of the inspectors is law. There is discontent among the workers, there is discontent among the public and there is discontent among the buses also (laughter); yes, when you get into the buses, you

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are confronted with loud noises, and noise means discontent (laughter). Anybody travelling in these buses will know that they make very huge noise and they are allowed to make their protests in this way presumably because they are not properly maintained or cared for. That is the condition of the bus transport in the City.

"In these circumstances, the people are quite legitimate in their complaint against increase in fares. Not only that; do the public get sufficient—not to speak of amenities—number of buses plying on the roads? You will find at almost every important bus stop large numbers of people waiting, some waiting for 30 minutes, even for 45 minutes. Why can you not have sufficient number of buses on the roads during the rush hours when there is much traffic? Recently, a certain suggestion was put forward and it is being put into effect in England, in Sheffield, I think. They station in important traffic centres a certain number of persons. Wherever they find a sufficiently large number of passengers waiting for buses, they at once inform the Central office by radio; at once, buses are sent to those particular places from the Central office, so that the passengers may go to their destinations early, and thereby congestion is relieved. Some such method may be adopted here also; you may have, if not radio, telephonic communication from the bus stops to the Central office and buses may be sent to the places where there is congestion and a large number of passengers are waiting. We must look into these matters from the point of view of the public. People are waiting in some places for even one hour and more for these buses to go to their destinations. Even in Parry's Corner, you find hundreds of persons waiting from 5 o'clock up to six and seven o'clock for buses. Is it not possible to relieve this congestion? It is not enough if you are simply actuated by the idea of getting more money; you must look to the convenience of the passengers. Suppose these buses were run by private enterprise, would not the Government have taken up the matter with them? The Hon. Minister stated 'Do not get into these buses.' You can very well say it now; if you have not eliminated competition, people surely would not get into your buses; but by your nationalization scheme, you have eliminated private enterprise, and so there is no other go for the people but to wait for the buses indefinitely and get into them to go to their destinations, in spite of the fact that they are all leaky and passengers are being jolted. I do not think the Transport Minister was serious when he said 'don't get into the buses'."

MR. PRESIDENT:—"I do not think you took him seriously when he said it."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR:—"I am very serious in what I say, Sir; because as the Leader of the Opposition stated, more than 90 per cent of the public are affected by this increase in fares. After all, it may be not more than one per cent of the population that travel in their own cars."

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[K. T. M. Ahmed Ibrahim Sahib Bahadur]

"As regards the question of anti-inflation, I do not know how this increase in fares is going to relieve inflation. The poor and middle class people in the City have no inflated currency with them. It is to be found elsewhere and more effective steps should be taken to minimize inflation. These people are not even getting sufficient money even to make both ends meet, and how can you then say that it is for the purpose of minimizing inflation that you are taking this step of increasing fares."

THE HON. SRI B. GOPALA REDDI :—"Government did not say it was for the purpose of reducing inflation."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Nowadays, it is freely said to be an anti-inflationary measure. If it is not so, well and good. Whatever may be the reason, people are anxious that they should not be made to pay more; not that they are unwilling to pay, but their purses are slender. So, Sir, with a heavy heart, I am supporting this motion; I say 'heavy heart' because of the suffering of the people. I see an Hon. Minister laughing; he may laugh because he is travelling in his car. But poor people have to travel in these buses under these circumstances four, five and ten miles, to get to their destinations."

* SRI B. BHIMA RAO :—"Sir, I want to make my own contribution to this debate but not in a spirit of condemnation or censure as was done by the mover Mr. Farookhi Sahib who is not here. This is a question which affects the poor and the middle class people. I belong to the middle classes; I am not a man who can be considered to be rich. I have boys here in Madras whom I am educating, one of whom is in the Victoria Hostel and has to go to the Law College and come back. Formerly, he was spending about Rs. 12 or so for his bus fares from Triplicane to Law College and back for a month. Now, the amount has swelled up to Rs. 20, and that comes to about 12½ per cent of the amount I send him. And when I ask, he complains 'it is the bus fare that has increased' and so he has to spend more."

THE HON. SRI B. GOPALA REDDI :—"What about cinema fares?"

* SRI B. BHIMA RAO :—"He also gives me his cinema expenses; he sends me the details of his monthly expenditure; and I of course ask him not to go to cinemas but to apply himself more and more to his studies. Before the nationalization of buses was introduced, private proprietors were making enormous profits. That is my experience; even in Bellary, I know several people who were running buses on their own account were making immense profit even with less than half of the fare now charged in Madras City. Since the Government took over the transport, they have published figures, I think, on two occasions, they have made considerable profit, and I see there is no necessity for any increase of fare at all. The result is that poor people, especially those whose salaries are meagre, between Rs. 60 and Rs. 100 and less, are

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feeling the burden too much. It is not a case where they can walk the whole distance from their residences to Georgetown; several of them are accustomed to go in these buses. I therefore on behalf of the poor and the middle class people, who cannot afford to pay the excess fare, plead with the Government; I appeal to them to examine the whole thing and see that the fares are reduced. As I said before, there is no reason why, when they are already making a profit, they should make excess profit. It is not for that purpose that this nationalization was introduced. If nationalization is to be applied in the same manner to the mufassal also—that was the original intention of Government—they wanted to proceed with nationalization in Ootacamund, Kodaikanal and in several of the mufassal centres—it will mean greater trouble for the people. At present in the mufassal, they are having only nominal fares; for instance, for a distance of 40 miles from Bellary to Hospet to my own district, they charge Rs. 1-4-0; and when nationlization is introduced in the mufassal, at the rate at which fare is charged in Madras, what would be the rate there I wonder. I think, Sir, this is a fit case for the Government to reconsider—I think that is the word used in the reported speech of the Hon. Minister—it is a case for reconsideration in the direction of reducing the fares. And I trust and I appeal to the Hon. Finance Minister to go into the question and give relief to the poor and the middle class sections of the people of the City. With these few words, Sir, I close my speech. I do not propose to vote for this as a vote of censure or a vote of condemnation, I may make it clear, Sir."

MR. PRESIDENT:—"What does the hon. Finance Minister say? Will he speak now?"

THE HON. SRI B. GOPALA REDDI:—"I think Mr. Suryanarayana Rao wants to speak; I have no objection to his speaking for a few minutes, Sir."

MR. PRESIDENT:—"Mr. Suryanarayana Rao will take a few minutes, I think, as Members are all anxious to hear the Hon. Finance Minister on the subject."

* SRI R. SURYANARAYANA RAO:—"I will not take more than a few minutes, Sir. Since I saw yesterday's announcement in the papers, announcing increase in the price of foodstuffs, I have been wondering what would be the fate of the people with fixed incomes, with increased bus fares and increased price of rice. Sir, the increased price of rice is to be given effect to from the 21st November, and I am told by the 'Mail' that the increase will be by about 2 annas per measure. What is to be the condition of the people with fixed incomes like the salaried servants of Government? Already the Government are aware that there has been great discontent in the services and also in other establishments where people are employed on fixed pay. As a result of increased bus fares, there will be a demand for higher salaries and higher wages. Sir, the more we charge for the necessities of life—and I believe conveyance especially in the City of Madras has become a necessity of life—the more we charge for food and for

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cloth under controlled conditions, the more will be the cry for increased wages and increased salaries. Is this going to be an anti-inflationary measure? I wish, Sir, when Government take steps such as these, they would envisage what effect they would have upon what my leader is always pleased to say 'the common man.'

"The 'common man' is greatly hit. A few people who can afford, who get high salaries, think that this increase of half an anna from Mylapore terminus to Parry's Corner is a flea-bite; but to those with fixed incomes, especially fixed small incomes like clerks in the Secretariat and those employed in commercial establishments, this increase of one anna per day means quite a good deal of hardship making inroads into their small income.

"I plead on behalf of the people with small fixed incomes that this increase in bus fares would seriously affect their family budget. Is the State, it might be asked, bound to take into account the effect any of their actions will have on the family budgets of the public; is any commercial concern bound to do it and are the Government to consider this aspect? A commercial concern is not the same as Government. The Government is supposed to have a heart which we are not able to divine where it is; it is supposed to have sympathy and understanding for the people whom they govern, to understand the difficulties under which they live and to promote measures of welfare for their benefit. If it is meant to be a measure of welfare for the City, it is going to have a bad effect. People will naturally ask: 'Is the Bus Transport Service of the Government running at a loss?' What is the necessity for the Government to increase the fares? Generally in a commercial concern, if they have to make up what they spend by way of production costs. It may not be for purposes of declaring a dividend—they will have to increase the value of their wares. So far as my information goes, owing to the vigilance of the Hon. Minister for Transport and the Transport Officers, the Bus Service is not running at a loss. Then is it necessary to increase the fares just at this time, when, as I said, the family budgets of poor people with fixed incomes are in a bad way and they are not able to stand further strain. There has been much talk about lack of amenities to passengers and I may say, in that connexion, that the Government Bus Service with all its faults—in our heart of hearts we are feeling like that—has been a better service than the private service (The Hon. Sri B. Gopala Reddi: 'Though you will not say in public). I am sure hon. members feel that the service has been greatly improved. But there is the personal element of the bus conductor with his discourtesy and the unhelpful attitude of the man stationed in the bus terminus in guiding the passengers which leaves much to be desired. For all these factors, we cannot blame the Government and by and by they will be changed and if complaints are taken to the notice of the transport authorities, they will be rectified. Even if more amenities are provided, if the staff is a little more courteous and attentive to the passengers, are the passengers to be required to pay for such improvements by way of increased fares? It is ingrained in the system itself and

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every commercial concern proceeds on the footing that courtesy always pays. Therefore, I do not think that the Government is justified in increasing the fares.

"I have one suggestion to make regarding rationalization. Attempts at rationalization in industries has led to strikes. But rationalization of bus fares cannot lead to strike on the part of the passengers though it may lead to something else which may be worse, viz., fall in income. Is it not possible to keep the old rates from one terminus to the other and rationalize the fare from one stage to the other so that ultimately the fare from one terminus to the other remains unchanged. I will quote one instance. I take the bus going from Mylapore Tank to Parry's Corner at Pudupet and get down at the Muhammadan College or the Madras Club. I think I shall have to pay two annas. The stage does not begin at the Royapettah Police Station or the Hospital but at an out-of-the-way place where there was a bus stop previously but it was removed from there when the private buses were running. I agree rationalization is all right but it should be done consistent with the convenience of passengers. I would suggest to the Government to consider whether the fares from one terminus to the other could not be kept intact and the fares between the intermediate stages might be so arranged that the Government will not be inconvenienced and at the same time the fares will be reasonable and rationalistic. I hope the Hon. Minister for Transport with the help of the Transport Officers who have every consideration for passengers—will examine this suggestion. The officers adopted the principle of rationalisation and to that extent we cannot blame them. They should be able to so alter this principle of rationalization that even at the expense of giving up the principle in its entirety that there is no additional burden on the bus passengers and at the same time ensure more revenue to the State."

THE HON. SRI B. GOPALA REDDI:—"Mr. President, Sir, as expected we had a very interesting debate. But I am sorry, Sir, that all their pet prejudices have come out in the course of the debate and their vehemence against nationalization has been given full expression to. We are aware that the Leader of the Opposition was never a friend of the nationalization scheme. Right from the beginning he has been opposing the move on the part of the Government to nationalize transport system either in the City or in the mufassal and on more than one occasion he has given expression to it in very strong terms against nationalization and to-day again utilizing this opportunity he has gone back to his old theme that the Government ought not to have nationalized the bus service. Likewise, the Mover of the Resolution himself is not known for his sympathy for the Congress Government; he has his old prejudices against the Congress Organization and having been bred and brought up in the ideologies of the Muslim League till recently, he cannot divest himself of his old prejudices against the Congress Government and he is only trying to beat the Congress Government so that he can satisfy his innermost conscience in the hope that he has done something to put down the prestige of the Congress Organization, otherwise I cannot understand the

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spirit of the speech when he said that everybody is condemning the Government for their move from their house tops, that there has been slogans that what the Government is doing is not in the interests of the poor and this hymn of condemnation is coming from all sides. With regard to these condemnations I shall give the figures later on. I do not think Sir, simply because there are about 20 people who have chosen to write letters to the Press either in 'the Hindu,' 'the Express,' or 'the Mail,' it means that the entire system is being condemned by reasonable men. I know that any taxation measure is not popular and all taxation measures from the Government are unpopular and are viewed with suspicion. That apart Sir, this rationalization scheme of the Government in the Transport Department is not condemned by all people. Because Sir, in 14 routes there has been no enhancement and why should there be any condemnation on their part and in certain other intermediate stages there is lessening of the fares and should they not be thankful to the Government and can they condemn the move of the Government? It is not as though there is universal condemnation coming from all people. *Status quo* has been maintained in 14 routes perhaps in 21 routes there has been enhancement and I shall presently tell you why. In a matter like this it ought to be considered objectively and not merely on the basis of pet theories and political prejudices. And I therefore want that this question should be examined fairly on its own merits and not with any political bias. Some people have criticised me saying that we are earning large profits. When I say that, immediately there are our friends who will say "How is it, it is not the intention of the Government to make profits. You must only look to the convenience of the passengers and you have to reduce the fares." If I say I am not making any profit, immediately the Leader of the Opposition will come and tell you: 'Did I not tell you so when you introduced nationalization that you are going to lose and that you must not nationalize and that your management is not going to be efficient and that you are going to lose crores of rupees. I said even then that this is a doubtful venture on the part of the Government.' So, Sir, I will have to follow the golden mean. Sometimes, I will have to say that I am losing."

DR. V. K. JOHN :—"Why not say the truth."

THE HON. SRI B. GOPALA REDDI :—"The Budget will be speaking the truth and it will be presented to you on the 26th February and you can make out the position from it."

"To say that our buses are making a lot of noise, that there is not much convenience to the public that you do not care for the common man do not carry us any further. It is no use telling that to the Government because the man in the street really feels that we have given them more convenience, we have opened up more routes we have put more buses on the road in the City and to-day, if we take the figures, we are carrying a large number of passengers from one terminus to the other than ever it was done previously. That must be borne in mind. I can give you statistics

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if you want; I can tell you how many passengers are being carried on our buses daily, what is the mileage we are covering what is the cost of running the buses. When I had occasion to show some of these figures to the Transport Authorities in New Delhi who are in charge of the Transport Department in New Delhi under the very nose of the Government of India, experts in charge of this business were very greatly pleased at the low cost of maintenance.

“As I said, Sir, it is not really a taxation measure. Apparently on the surface it looks as though we have enhanced the rates and that the poor man is being hit and he is obliged to pay a little more every day towards his transport. So, for all purposes, it is a taxation measure and no taxation measure is popular, as you know. Ultimately it would result—if our optimistic calculations come true—in an income of Rs. 1,000 a day or Rs. 30,000 a month or about three lakhs and sixty thousand rupees a year. For a measure which gives the Government three lakhs and sixty thousand rupees, there need not be such ‘universal condemnation’ and the Government need not be taken to task for getting this amount in the course of one full year.”

DR. V. K. JOHN :—“This is collected from a million people.”

THE HON. SRI B. GOPALA REDDI :—“When a million people pay these three lakhs and sixty thousand rupees, the proportion will be a pie for each individual or perhaps one anna for each individual. Thus the *per capita* contribution will be insignificant—a flea-bite.”

SRI R. SURYANARAYANA RAO :—“What about the people with fixed incomes.”

THE HON. SRI B. GOPALA REDDI :—“Sir, let us take the statistics of the population in the City and see the percentage of those people with fixed incomes and the percentage of other people. I am sure, the percentage of people with fixed incomes may not be very large. Perhaps it may be 10 or 15 per cent in the City and the rest 85 per cent of the people are not having fixed incomes.”

SRI R. SURYANARAYANA RAO :—“Sir, the users of buses are mostly people with fixed incomes.”

THE HON. SRI B. GOPALA REDDI :—“Sir, I do not think the percentage can be higher than 20 or 25 per cent. That is my calculation.”

“Now, Sir, let me come to rationalization. This rationalization has been criticised on the floor of this House, in the Press and on the platform. Let me say that nobody has objected to our Orders passed in November 1947. As far as I could see, my hon. Friend had also welcomed the Government Order. But only when it comes to the question of application, all this criticism comes and

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there is 'universal condemnation.' The fares fixed in the Government Order are one anna for the first mile and half anna for every subsequent mile. I do not see any reason why anybody should take objection to the application of this Government Order. It is beyond reproach. What holds good for the Madras City also holds good for Madura, Coimbatore, Vijayawada, Nellore and other towns. In Madura and in Coimbatore and in Vijayawada and in other places, the private bus operators—or whoever is running the bus—are applying this Government Order strictly and collecting one anna for the first mile and half an anna for each subsequent mile."

DR. V. K. JOHN :—" Sir, in the Madras City in some routes the rate for the first mile is one anna and a half and one anna for the subsequent mile."

THE HON. SRI B. GOPALA REDDI :—" The Leader of the Opposition is very often misinformed. This is not the correct rate. The actual fare for the first mile is one anna and half an anna for every subsequent mile. This is the rate prevailing not only in the Madras City but also in the mufassal cities. When a passenger in Madura or Coimbatore pays this rate, why should a passenger in City make so much noise? Is it because he has easy access to the Press and to the members of the Legislature?"

DR. V. K. JOHN :—" Was he paying that before? "

THE HON. SRI B. GOPALA REDDI :—" I am coming to that point. The rates fixed in the Government Order are being strictly applied in the Madras City also. It is universally applied. Just imagine the M. & S.M. Railway charging one rate for the journey from Guntakal to Nandyal and a higher rate for the journey from Bellary to Hospet. Will the people of Bellary and Hospet keep quiet? Thus, on the railways there cannot be different rates for different sections on the same system. Similarly, there cannot be one rate for Madura or Coimbatore and another rate for Madras.

" To-day, in 14 routes this Government Order is strictly applied and there is no necessity for enhancing the fares on these routes. They are paying according to the Government Order one anna for the first mile and half an anna for every subsequent mile. They are now paying these fares without grumbling and they are pleased that it has not been raised. But why should people on certain other routes enjoying concessions provided by private operators for reasons not known to me or to the Leader of the Opposition, continue to pay three annas, when according to strict mathematical calculations, they should pay four annas or $4\frac{1}{2}$ annas. When a man from Purasawalkam is paying for his transport at one anna for the first mile and half an anna for each subsequent mile, why should a man from Thyagayanagar to the Parry's Corner—distance of $7\frac{1}{2}$ miles—pay three annas. He was somehow 'defrauding' the Government all these days by not paying an anna and a half more. In fact, we must collect even the arrears from them."

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SRI S. B. ADITYAN :—“ Sir, is it not a fact that a more popular route can be operated more economically and at a cheaper rate.”

THE HON. SRI B. GOPALA REDDI :—“ Sir, no reference was made to this aspect of the question in the speeches so far made by hon. Members criticising the policy of the Government. We must be fair to all people. If we charge three annas for $7\frac{1}{2}$ miles on the Thyagarayanagar route, we must proportionately reduce the fare on 14 other routes. Why should one part of the City pay less and the other part of the City pay more? Is it that the Purasawalkam people should pay more and the Mylapore and Thyagarayanagar people should pay less because the former cannot make more noise and get people to champion their cause? Mr. Ibrahim has also welcomed the Government Order (K. T. M. Ahamad Ibrahim Sahib Bahaḍur rose from his seat). I am not yielding.”

DR. V. K. JOHN :—“ Sir, I want to divide the House on this issue.”

THE HON. SRI B. GOPALA REDDI :—“ You may divide the House or do whatever you like. Sir no member has taken any objection to the Government Order or to the rates prescribed in the Government Order. The objection is, as I said, in the beginning, to its application. The application must be universal. Whatever applies to the northern part of the city must also apply to the southern part of the city. We must take the actual distance into consideration and charge fares according to the Government Order. We had charged three annas on the route from Mylapore to Parry's Corner and now we are charging four annas. Therefore, it is wrong to say that there is 50 per cent enhancement. An enhancement of one anna and a half is only in one route, i.e., from Thyagarayanagar to Parry's Corner. For one year people travelling by this route had been enjoying a concession to which they were not entitled. The rate the people in the northern parts of the city are paying should also be paid by people in Mylapore and Thyagarayanagar.

“ Sir, then I come to the vexed question of ‘stages’. I had on three or four occasions, discussions with the officials. I did plead, looking from a layman's point of view that it must be on a rationalised system. As it is, as soon as one mile is reached, it is one stage and the subsequent stage is one mile and so on. But the administrative difficulty is there. It is $7\frac{1}{2}$ miles from Thyagarayanagar to Parry's Corner. Suppose at a particular place where the stage is to be fixed, it is not a convenient place, it will have to be shifted a little up or down. That means that a particular stage may be nine furlongs and another stage may be seven furlongs. In this connexion, Mr. Ibrahim also complained that a stage is fixed even for six furlongs and we are charging one anna for it. Sir, in this matter, you must give some latitude and allow the officers to fix the stage for 10 furlongs or 6 furlongs as it is convenient and as circumstances require. Otherwise, we cannot adjust the difference between the stages. The distance from Thyagarayanagar to Parry's Corner is $7\frac{1}{2}$ miles. It must be divided into seven convenient stages. Therefore, what does it

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matter if a stage is not fixed at a particular place and when a passenger has to pay according to the distance he travels and the total fare on this route works out at the rates fixed in the Government Order. If there are any grievances in the fixation of stages, the matter can be certainly gone into. But if in this process we fix the stage at a convenient place and reduce the distance to five or six furlongs, then also there will be any amount of criticism from the public. There will be 'universal' condemnation. So, I am in a dilemma as to what to do in his matter. Either I must strictly and mathematically fix the stages and ask them to pay accordingly or I must have stages of varying lengths, with the average at one mile per stage."

DR. V. K. JOHN :—" Sir, as the Hon. Minister is in a dilemma, I beg to move a motion under rule 62 of the Council Rules. Rule 62 says—

(1) *At any time after a motion has been made, a member may move "that the question be now put, and unless it shall appear to the President that such motion is an abuse of the rules of the House or an infringement of the rights of reasonable debate, the question 'that the question be now put' shall be put forthwith and decided without amendment or debate"*"

THE HON. SRI B. GOPALA REDDI :—" I have not finished my speech."

THE HON. SRI K. MADHAVA MENON :—" Sir, rule 62 is not applicable to an adjournment motion."

MR. PRESIDENT :—" Let the Hon. Minister be allowed to continue his speech."

THE HON. SRI B. GOPALA REDDI :—" Sir, on behalf of the Government, only one Minister is speaking and nearly all the members including Congress Members, in a way criticized the Government. So, I will take some more time."

MR. PRESIDENT :—" But you cannot speak beyond 6 o'clock."

THE HON. SRI B. GOPALA REDDI :—" Sir, with regard to stages I would like to have constructive criticisms from my friends and if there is any stage fixed at an inconvenient place, I will certainly look into the question and see that it is shifted to a more convenient place."

" Sir, with regard to the conveniences in the bus, I have to give some figures also. Under the private management there were 190 buses with a seating capacity of 21 and standing accommodation for 8 or 10. That was the maximum number of buses they had even in the peak years when they had earned huge profits."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" What was the population at that time?"

THE HON. SRI B. GOPALA REDDI :—" Sir, they are not so much multiplied since. We have put in 238 buses actually on the

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road and 75 per cent of them have seating accommodation for 30 and standing accommodation for 15 more. (An hon. Member : ' But how many are under repairs? ') The Government have 310 buses all told and not less than 238 buses are put on the road. Therefore, what does it matter how many are inside the workshops. By simply going from Central to Mount Road, you cannot say that a large number of buses are in the shed. And some people even say that more buses are in the workshop and in the shed than on the road. But actually on an average not less than 238 buses are on the road. Forty-five persons can easily take their seats, I mean, including standing passengers and they all can reach their destination. So, that is a great convenience in spite of increased population. For what we have done, if we calculate, it will be found it is certainly much more than any private operator could have provided for, and so the public cannot complain."

THE HON. SRI K. MADHAVA MENON :—" I rise on a point of order. It is now six o'clock and the debate must close now. There is no provision in the rule extending the time for an adjournment motion. The rule says, the debate shall automatically terminate at 6 p.m. and thereafter no question can be put."

6 p.m.

DR. V. K. JOHN :—" Cannot the clock be put back? "

THE HON. SRI K. MADHAVA MENON :—" The rule says the debate *shall* automatically terminate."

MR. PRESIDENT :—" Perhaps the Hon. Law Minister wants the rule to be enforced strictly. I do not know why he is anxious about it."

THE HON. SRI K. MADHAVA MENON :—" I am as much entitled to claim my pound of flesh." (Laughter.)

A VOICE :—" He does not want his colleague to explain to the House . . ."

THE HON. SRI K. MADHAVA MENON :—" I can talk as much as my friend."

DR. V. K. JOHN :—" Evidently the Law Minister wants to come to the rescue of his colleague."

MR. PRESIDENT :—" There is no doubt the debate should close down at six o'clock. But the House and the public would like to know what the Hon. Minister has to say."

THE HON. SRI B. GOPALA REDDI :—" Sir, is it your ruling that beyond six o'clock I can go on with my speech?"

MR. PRESIDENT :—" You cannot go on as a rule; but if you have anything special to say, I will allow you to go on."

THE HON. SRI B. GOPALA REDDI :—" I would like the rule to be observed, Sir."

MR. PRESIDENT :—" The motion is talked out. The House will now adjourn and meet again to-morrow at 11 a.m."

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APPENDIX I

[Vide answer to starred question No. 122 asked by Sri C. N. Muthuranga Mudaliar at the meeting of the Legislative Council held on 24th November 1948, page 459 supra.]

A.—(a) The recommendations of the Committee which relate to the financing of agriculturists for long and short terms and the reorganization and supervision of village credit societies in Rayalaseema and which involve financial commitments to the Government are still under consideration. Orders have been issued on the other recommendations of the Committee. A copy of this order is annexed.

(b) *Chairman.*—Sri N. Gopalaswami Ayyangar has always taken a keen interest in proposals calculated to improve the economic condition of the Ceded districts.

Other members.—(1) Sri T. A. Ramalingam Chettiyar is a veteran co-operator and President of the Madras Provincial Co-operative Bank. (He, however, resigned from the Committee in July 1945.)

(2) Dr. B. V. Narayanaswami Nayudr is a well known economist and is acquainted with the conditions prevailing in Rayalaseema.

(3) Sri R. Suryanarayana Rao is a Member of the Servants of India Society as well as the Ceded Districts Economic Development Board.

(4) & (5) Sri B. P. Sesha Reddi and Dr. R. Nagan Gowda were the Presidents of the District Boards of Kurnool and Bellary, respectively, and they have practical knowledge of the conditions prevailing in Rayalaseema. Sri Sesha Reddi is also the President of the Kurnool Co-operative Wholesale Stores.

(c) Both the Provincial Co-operative Bank and the Central Land Mortgage Bank have expressed themselves against the recommendation to abolish district central banks and primary land mortgage banks. The Provincial Bank considers that by adopting the recommendation, there will be no saving in expenditure nor contact between it and the borrowing banks, and that there will be no chance for proper supervision. Similarly, the Central Land Mortgage Bank is of opinion that neither convenience nor utility justifies the abolition of primary land mortgage banks and that direct financing will neither benefit the borrowers nor save appreciably any expenditure.

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The Government are not aware of the views of the Provincial Bank on the question of introduction of limited liability in village credit societies.

(d) Rupees 11,945.

ANNEXURE.

G.O. Ms. No. 3570, Development, dated 5th July 1948.

[Committees—Rayalaseema Co-operative Enquiry Committee—
Recommendations—Orders passed.]

READ—the following paper :—

From the Registrar of Co-operative Societies, dated 6th January 1948,
No. 14134/46-A.

Order—Ms. No. 3570, Development, dated 5th July 1948.

The Government have considered in consultation with the Registrar of Co-operative Societies the recommendations made by the Rayalaseema Co-operative Enquiry Committee, 1945-46, and proceed to pass the following orders on them.

2. *Recommendations 1, 2, 4, 5 and 7.*—The Registrar of Co-operative Societies has stated that if his proposals for the appointment, at the cost of the Government, of additional supervisors at the rate of one supervisor for every 12 rural credit societies, are accepted, it will be possible to reorganize rural credit societies to function on improved lines as envisaged in these recommendations. The proposals are separately under the consideration of the Government and orders on them will be issued in due course. The Government are not, however, in favour of any 'limited liability' experiments being made as recommended by the Committee.

3. *Recommendations 3 and 41.*—The Government agree with the Registrar that Weavers' Co-operative Societies should not mix up their main business of production and sale of handloom cloth with stores business or credit activities and that they should specialize in their main trade, without having to depend upon the master-weavers. Joint purchase of domestic requirements by these societies on behalf of their members may, however, be encouraged and care should be taken to see that separate accounts are maintained in respect of such purchases.

4. *Recommendation 6.*—The Government consider that it would be an advantage for a credit society to have a notified, recognized place of business with fixed working hours. It would serve as an advertisement and save some inconvenience to the members. The Registrar is requested to see that a beginning is made even now in this direction.

5. *Recommendation 8.*—The Registrar has already issued necessary instructions to the Deputy Registrar of Co-operative Societies. He is requested to see that the consent of the authorities of the Education Department is obtained in this matter if this has not already been done.

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6. *Recommendation 13.*—The Government accept the recommendation.

7. *Recommendation 14.*—The Government accept the recommendation subject to the conditions specified by the Registrar.

8. *Recommendation 15.*—For the reasons given by him, the Registrar dissents from the Committee's recommendation. The Government agree with the Registrar.

9. *Recommendation 16.*—The suggestion of the Committee for taking full value of the properties, both movable and immovable, into account for fixing the maximum borrowing power of unlimited liability societies on the basis of their members' property statements has already been given effect to. As regards the enhancement of the credit limit of these societies from one-eighth to one-fourth of the net assets of their members, the Government agree with the Registrar that the existing limit may be retained but that it may be relaxed in deserving cases, as already provided for in G.O. No. 1277, Development, dated 25th September 1922.

10. *Recommendation 17.*—The Registrar has already issued a circular directing the Deputy Registrars to introduce the system of cash credit as recommended by the Committee. As regards the Committee's suggestion to empower financing banks to proceed against individual members itself, the Government agree with the Registrar that it is not desirable to do so, as thereby the corporate character of the society will be affected and its management will lose its sense of responsibility.

11. *Recommendations 18 and 19.*—In G.O. No. 3107, Development, dated 11th June 1948, the Government have amended rule VIII-A of the rules issued under the Madras Co-operative Societies Act, 1932, excluding rural credit societies with unlimited liability from its purview and increasing the proportion of medium term issue for periods up to 5 years from 25 per cent to 50 per cent. The Government consider that no further action is necessary on these two recommendations.

12. *Recommendations 20 and 100.*—The Registrar has given very cogent reasons why these two recommendations cannot be accepted. The long-term and the short-term credit systems have been kept separate and distinct in this Province and this arrangement has worked well. The Government do not consider that any change is called for. It is, however, open to the Madras Co-operative Central Land Mortgage Bank, Limited, to entertain applications sponsored by rural credit societies for long term loans.

13. *Recommendations 21 and 22.*—These recommendations are already being given effect to.

14. *Recommendation 23.*—The amendment referred to by the Registrar to section 21 (i) of the Madras Co-operative Societies Act is separately under consideration. He states that when this amendment is passed into law, the repayment of loans granted for cultivation expenses will be ensured. The Government agree with the Registrar that no further provision is necessary.

15. *Recommendation 25.*—The Registrar has already taken necessary action on the recommendation which is accepted.

16. *Recommendation 26.*—The Registrar has agreed to this recommendation, subject to the modification that for the word 'automatically' used in the recommendation, the phrase 'liberally

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on the merits of each case' should be substituted. The Government accept this modification. The Registrar has already issued a circular to the Deputy Registrar to this effect and also indicated the guiding principles to be followed in the grants of extensions. The second part of the recommendation is one for consideration by the Madras Provincial Co-operative Bank, Limited, to which it is commended.

17. *Recommendation 27.*—The Government do not accept the Committee's recommendation that remittance of amounts by co-operative societies should be arranged through the village headmen who should be required to receive such money and remit them into the Government sub-treasury to the credit of the financing bank concerned. As an alternative, the Government have examined the question whether it may not be possible to prescribe the scale of allowances to be drawn when remittances are made by the societies and also to lay down a set of rules as to the amounts to be remitted at a time and the periods or intervals at which remittances can be made. In this connection, the Registrar has suggested a subsidiary by-law for adoption by the societies in order to regulate the allowances to be paid for making such remittances, but doubts whether it would be effective in actual working. The Government consider that the societies should be asked to adopt the subsidiary by-law for what it is worth. When the supervisory staff is strengthened as proposed by the Registrar, it will be one of the duties of the supervisors to see that the subsidiary by-law is observed.

18. *Recommendation 28.*—This recommendation is accepted. It should not be left to a society to ask for nomination of panchayat-dars but the Registrar should judge if its condition necessitates such nomination and take necessary action. He is requested to issue suitable instructions in this regard.

19. *Recommendation 29.*—The Government consider that the rate of interest charged on loans to members by urban banks in the Rayalaseema should not exceed 6½ per cent per annum.

20. *Recommendation 30.*—The first part of the recommendation is accepted. The Registrar has already issued necessary instructions to the Deputy Registrars. As regards the second part of the recommendation, the Government consider that urban banks should regulate their loan transactions in accordance with rule VIII-A of the rules issued under the Madras Co-operative Societies Act.

21. *Recommendation 31.*—The Madras Committee on Co-operation, 1939-40, recommended that, the granting of loans on agricultural produce by urban banks should be permitted only in the absence of sale societies in the area. The Registrar had then no objection to permitting the issue of produce loans by urban banks, if they commanded storage facilities, etc., and if there were no sale societies in the area. The Government accepted this view in paragraph 70 of G.O. No. 1232, Development, dated 8th July 1941. This order will stand. As regards the grant of subsidies to urban banks for construction of godowns as recommended by the Rayalaseema Co-operative Enquiry Committee, separate orders will be issued.

22. *Recommendation 32.*—For the reasons given by the Registrar, the Government do not accept the recommendation. A co-operative society is not a profit-making organization, but is intended to satisfy the economic needs of its members. It is also an accepted principle that every co-operative institution should look up to only one financing agency.

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23. *Recommendation 33.*—The recommendation is accepted. The Registrar has taken necessary steps to popularize cash credits in urban banks.

24. *Recommendation 34.*—The Registrar is not in favour of this recommendation. He considers that if urban banks are to undertake all kinds of commercial business, they will transform themselves into commercial banks and the poor and middle class people whom they are intended to serve are likely to be neglected. The Government accept the Registrar's view.

25. *Recommendation 35.*—So long as the Schedule classes get what they want from combined societies, there can be no objection to this recommendation. The Registrar has already taken necessary action to give effect to the recommendation.

26. *Recommendation 36.*—The Government accept the recommendation. The Registrar has already asked Central Banks and the Deputy Registrars to see that societies give effect to this recommendation by encouraging their members to take up subsidiary occupations, by providing them with the necessary finance and, wherever possible, by arranging for the marketing of the goods produced.

27. *Recommendation 37.*—The Registrar states that the additional staff already sanctioned for work in connection with weavers' societies is sufficient and considers that the appointment of a special Deputy Registrar is not necessary for the development of the handloom industry in the Rayalaseema area. The Government agree with him.

28. *Recommendation 38.*—The Government see no need to accept the recommendation, as a general rule. Individual applications for the free services of departmental staff will be considered on their merits.

29. *Recommendation 40.*—Action in the direction recommended is being taken. A copy of the recommendation together with the remarks of the Registrar on it is communicated to the Director of Industries and Commerce for information and necessary action.

30. *Recommendation 42.*—The Registrar states that the recommendation in the form in which it has been made, cannot be accepted and that the compulsory thrift deductions from wages under by-law 16-A of the by-laws relating to Weavers' Co-operative Societies and payment of bonus from profits in proportion to the value of the finished goods produced by members or raw materials purchased or wages earned are all that is possible. With regard to the bonus from profits, it may also be added to the thrift subscription, instead of being paid in cash, if the members have no objection. The Registrar has consulted the Madras Provincial Handloom Weavers' Society on this point and states that he will frame suitable amendments to the by-laws, if the suggestion is acceptable. The Government consider that the conditions of labour have not sufficiently advanced to render the Committee's recommendations practicable in a struggling rural industry of this kind and that this healthy reform must halt for the present.

31. *Recommendations 43 and 45.*—The Madras Committee on Co-operation, 1939-40, recommended that loans to primary production societies might be given up to five times their owned capital and that, in addition, loans might also be given against a floating charge up to 50 per cent of the value of goods taken into stock. The maximum credit limit of weavers societies had previously been

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increased from five to eight times their owned capital and the Registrar then considered that it was neither safe nor sound to allow further credit up to 50 per cent of the value of the goods, as the goods would form a kind of collateral security for the amounts issued on the basis of the owned capital. The Government then ordered that loans must be given on one basis or the other, but they should not be granted on both together. The Registrar now reports that the question is out of any immediate practical interest, as most of the societies have not borrowed even up to four or five times their owned capital, while some of these have even surplus funds deposited in central banks. He states that he will watch the position and will take suitable steps in consultation with the financing banks, if and when a real need for increased financial accommodation actually arises in future. The Government consider that no action is called for on these two recommendations for the present.

32. *Recommendation 44.*—The Madras Handloom Weavers' Provincial Society is already doing this work and steps are being taken to improve and develop the marketing arrangements.

33. *Recommendation 46.*—The Registrar has already issued a circular to implement this recommendation.

34. *Recommendations 47 and 48.*—The Government accept these recommendations.

35. *Recommendation 49.*—The Registrar states that he will come up to the Government with proposals for free services of Junior Inspectors and other specific forms of assistance in deserving cases. Such proposals will be considered on their merits, as and when received.

36. *Recommendation 52.*—As stated by the Registrar, the recommendation should be borne in mind when organizing new marketing societies.

37. *Recommendation 54.*—The recommendation is already acted upon.

38. *Recommendation 55.*—Both the Madras Provincial Co-operative Bank and the Registrar are not in favour of this recommendation. The Government agree with them and consider that the existing practice may be continued.

39. *Recommendation 56.*—The recommendation has already been given effect to.

40. *Recommendation 57.*—The Registrar has detailed the various steps taken by him to perfect the link between the marketing and the stores societies. The Government agree with him that no further action is necessary on this recommendation.

41. *Recommendation 58.*—The Registrar has already issued a circular to Deputy Registrars to see that the recommendation is adopted by sales societies.

42. *Recommendation 59.*—Orders have already been issued in G.O. No. 5658, Development, dated 6th December 1947.

43. *Recommendation 61.*—With regard to urban and semi-urban areas, the committee itself does not want the existing primary stores to be abolished, if they are doing well and the chances of their survival are bright. Where a stores society is not working well, the Registrar states that it can either be liquidated or constituted into a branch of the wholesale stores by amalgamation with it and that a

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third alternative is to amalgamate it with another primary stores which is functioning well. The Government accept the Registrar's views. As regards rural stores, the Registrar has separately submitted proposals for subsidizing the appointment of additional supervisors with a view to reorganizing village societies and to enabling them to take up multi-purpose activities. When this additional staff is employed, it may be possible for village co-operatives to undertake this work, but the change must be gradual and depend on the rehabilitation of the village societies.

44. *Recommendation 62.*—The existing permission accorded to stores societies for sales to non-members will be in force, till the various control orders and rationing schemes are withdrawn or till 31st December 1948 whichever is earlier. The question of extending this concession for a further period will be considered by the Government in due course in the light of the circumstances prevailing then.

45. *Recommendation 63.*—The Registrar has already instructed the stores societies to act upon this recommendation.

46. *Recommendation 64.*—The recommendation is accepted. The Registrar has already advised the stores societies to undertake such activities with reference to their economic position and local conditions.

47. *Recommendation 65.*—The Government consider that the present time is not propitious for organizing a Provincial Wholesale Stores.

48. *Recommendation 66.*—Orders have already been issued in G.O. Ms. No. 526, Development, dated 4th February 1948.

49. *Recommendation 67.*—A Senior Inspector has been sanctioned in G.O. Ms. No. 1040, Development, dated 3rd March 1948, free of cost, to manage the Sugali Metta Cattle Breeding Society in the Kurnool district, to promote habits of thrift among its members and to provide subsidiary occupations for them. As regards the suggestion for pooling and marketing the surplus milk, both the Registrar and the Director of Animal Husbandry are of opinion that it is neither feasible nor economical. The Government accept this view.

Though not as part of the recommendation, the Committee has also suggested that an advisory committee of officials and non-officials may be constituted to consider, formulate and carry out schemes of welfare for the Sugali community. Orders on this suggestion will be issued separately.

50. *Recommendation 68.*—The Registrar has stated that he will come up to the Government separately, if there is a case. His proposals will be considered, when received.

51. *Recommendation 69.*—The Government agree that the conditions are not favourable for co-operative production of fruits. But when new orchards are planted and in areas where they already exist as in Sirvel taluk in the Kurnool district, co-operative societies may be formed to assist growers in the ways in which the existing four fruit growers' co-operative societies in the Rayalaseema are helping the producers.

52. *Recommendation 70.*—The Government agree with the Registrar that though the recommendation may theoretically be considered to be productive of beneficent results, it is not workable in actual practice. In this connection, it has been suggested that

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the amounts collected by way of penalty on overdue payments or part of them may be used to reward prompt payments if not by an immediate rebate, at least by a later bonus. The Registrar is requested to consider this suggestion and submit a report to the Government.

53. *Recommendation 71.*—The recommendation is accepted. The Registrar has already issued a circular to see that prizes are awarded each year by Central Banks to two or three of the best conducted societies in the Rayalaseema.

54. *Recommendation 72.*—The Madras Committee on Co-operation, 1939-40, recommended that no limitation on the term of office of office-bearers and Board of Directors of village co-operatives need be imposed. The Registrar then pointed out that to impose a time-limit would be an irksome restriction and that it would not only be opposed to democratic principles, but would also be difficult to enforce in the case of several societies. The Government then accepted the recommendation. With reference to the present recommendation of the Rayalaseema Co-operative Enquiry Committee, the Registrar has agreed with the previous view and states that as the imposition of the proposed restriction will apply to good panchayatdars also, he cannot support it. It is found difficult to get even one or two members who are willing to take an interest in the society and to work hard for the common good. The Government adhere to their previous decision and consider that a provision to limit the tenure of a director or panchayatdar to two successive terms will do more harm than good.

55. *Recommendation 73.*—In paragraph 156 of G.O. Ms. No. 1232, Development, dated 8th July 1941, the Government have held that it is not possible to go so far as to take power to remove one or more members of the Committee of a society, that with his general powers, etc., the Registrar should be in a position to persuade societies to get rid of an undesirable member and that when they will not, it is a matter for supersession of the entire committee. The Government consider that the power to remove individual members would prove invidious and that the present method of superseding the entire committee and reconstituting it without the recalcitrant members is the better one.

56. *Recommendation 74.*—The Registrar considers that the existing concession is sufficient, so far as land mortgage banks are concerned. As regards village credit societies, he has suggested that full exemption from payment of fees under the law of registration may be granted on the analogy of the concession allowed to scheduled caste members of co-operative societies. Separate orders will be issued on this suggestion.

57. *Recommendation 75.*—The necessary amendment to the Madras Co-operative Societies Act is separately under the consideration of the Government.

58. *Recommendation 76.*—It is separately proposed to provide for the winding up of a society before the cancellation of the registration and for keeping the winding up order in force for a period not exceeding three years. The necessary amendment to the Madras Co-operative Societies Act are under the consideration of the Government. The Registrar considers that the needs of the case will be met by this amendment. The Government agree with him.

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59. *Recommendations 77 and 78.*—The recommendations are accepted. The Registrar has stated that they will be kept in view, while ordering the postings of officers.

60. *Recommendation 79.*—The Government accept the recommendation. The Registrar has commended it to the Deputy Registrars and the Central Banks in the Rayalaseema. Separate orders will be issued on his proposals for the organization of co-operative societies in the prohibition districts for the promotion of khadi spinning and weaving.

61. *Recommendations 82, 83, 85, 86 and 87.*—The Registrar has separately submitted proposals for the appointment of an officer with a field staff of Senior Inspectors exclusively for the organization of Co-operative Societies for cottage industries and for the grant of subsidies towards their equipment and establishment charges. These proposals are under the consideration of the Government. Pending orders on these proposals, the Government consider that no separate action is called for on these recommendations.

62. *Recommendation 84.*—The Government agree with the Registrar that no fresh survey of cottage industries in the Rayalaseema need be undertaken.

63. *Recommendation 88.*—The recommendation is already being acted upon by Central Banks.

64. *Recommendation 102.*—Both the Madras Co-operative Central Land Mortgage Bank and the Registrar consider that it is not desirable to reduce the period for which encumbrance certificates have to be obtained. The Government agree with them.

65. *Recommendations 103 and 104.*—In view of the Registrar's report recorded in G.O. Ms. No. 1808, Development, dated 12th April 1948, the Government do not consider that any further action is necessary on these recommendations.

66. *Recommendation 105.*—The Madras Co-operative Central Land Mortgage Bank considers that the provision for biennial instalments will only complicate the existing financial arrangements without conferring any corresponding benefit on the borrowers. The Registrar agrees with this view. The Government also agree and do not accept the recommendation.

67. *Recommendation 106.*—The Registrar states that it is not possible to accept this recommendation for the reasons given by him. The debentures of the Madras Co-operative Central Land Mortgage Bank which are guaranteed by the Government are redeemable every twenty years and if extensions are given, the debentures cannot be redeemed. In view of this difficulty, the Government agree that it is not possible to accept the recommendation.

68. *Recommendation 107.*—As already stated in G.O. No. 4991, Development, dated 29th October 1947, the Government do not propose to reopen this question till 31st March 1950.

69. *Recommendation 109.*—The present arrangement of having Special Deputy Registrars for this work has worked successfully from the inception of the Madras Co-operative Central Land Mortgage Bank, Limited, in 1929. The Government do not, therefore, accept the recommendation.

70. *Recommendation 113.*—In view of the Registrar's remarks, the Government do not consider that any action is called for on this

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recommendation. Provision has recently been made in the service rules for the appointment as junior inspectors of supervisors who do not possess the higher educational qualifications prescribed for others, but have put in a minimum period of service as supervisors.

71. *Recommendation 114.*—The Registrar states that it will be possible to achieve the object of this recommendation when his proposals for the employment of additional supervisors at the cost of Government are accepted. These proposals are separately under the consideration of the Government. No specific action is necessary on the recommendation for the present.

72. *Recommendation 115.*—The question will be considered if and when the need arises for the employment of additional staff, as suggested by the Committee.

73. *Recommendations 116 to 126.*—The Registrar has referred to the scheme of the Provincial Co-operative Union on the subject of co-operative education and propaganda and states that suitable provision will be included for the Rayalaseema area.

74. *Recommendation 128.*—The Registrar states that village credit societies will be reorganized and that they will disburse short-term and medium-term loans. As regards long-term loans, he considers that it is only the agency of the land mortgage banks which can be entrusted with this work. There is already a land mortgage bank at Kurnool and the Registrar is taking action to form two more banks in the Bellary district. His further report in the matter will be awaited.

75. *Recommendation 133.*—The Registrar is requested to bring this recommendation to the notice of the financing banks as proposed by him.

76. *Recommendation 134.*—The Government consider that extension of the term of loans of financing banks when crops fail, is a better method. As for rural credit societies with unlimited liability, they have since been excluded in G.O. Ms. No. 3107, Development, dated 11th June 1948, from the operation of the time-limit for short-term loans, prescribed in rule VIII-A of the rules issued under the Madras Co-operative Societies Act.

77. *Recommendation 135.*—The Government consider that financing banks cannot probably extend the duration of medium-term loans beyond five years. As regards rural credit societies with unlimited liability, there is no difficulty in view of the amendments issued in G.O. No. 5107, Development, dated 11th June 1948, to rule VIII-A of the rules made under the Madras Co-operative Societies Act.

78. *Recommendation 136.*—The Government accept the recommendation.

79. *Recommendation 137.*—The Government agree with the Registrar that this question may be considered at a later stage.

80. *Recommendations 138 and 139.*—The recommendations are generally accepted. The necessary details may be worked out in due course.

81. *Recommendation 140.*—The question of legislation will be considered, if and when there is actual need for it. This aspect should be examined in due course with reference to the experience gathered in reorganizing the existing village societies and forming fresh ones.

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82. *Recommendations 141 and 142.*—The Registrar states that the Special Deputy Registrar proposed by him for the project area will go into these recommendations. He is requested to see that necessary action in this regard is taken in due course.

83. *Recommendations 9 to 12, 24, 39, 50, 51, 53, 60, 80, 81, 89 to 99, 101, 108, 110 to 112, 127, 129 and 130 to 132.*—These recommendations are under the consideration of the Government and separate orders will be issued on them.

APPENDIX II.

[Vide answer to starred question No. 123 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 24th November 1948, page 460 supra.]

[SUBJECT.—*Committee on medium of instruction constituted by the Government of India—Recommendations.*]

1. English as the medium of instruction at the University stage should be replaced during the next five years by Indian languages.

2. Universities should within this period adopt the language of the State or Province or Region as the medium of instruction and examination. After the period of five years (from 1948) English will cease to be the medium of instruction and examination.

3. The teaching of the Federal language should be started at the end of the junior basic stage and should be compulsory throughout the pre-secondary stage, but may be optional thereafter.

4. There should be a compulsory test in the Federal language during the first degree course of the University but its result should not affect the result of the degree examination.

5. There should be facilities for instruction in the Federal language in all Indian Universities for students who wish to take it up as an optional subject.

6. Devanagari should be the script for the Federal language but for regional languages the script will be the regional script or Devanagari as the region may choose.

7. During the transitional period English should remain as a compulsory second language in the higher courses. The knowledge to be acquired need not be of the literature of English, but it should enable students to study literature in their own subjects. The replacement of English as a medium of instruction should be gradual and staggered through transitory period.

8. Immediate steps should be taken by the Government to have standard literature produced in the Federal language and should assist the production of similar literature in other Indian languages.

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9. As far as possible, the scientific terminology used in the international world should be employed, but where there is no 'international' terminology, words from the Indian languages should be adopted.

10. The Central Government should set up immediately a Board representative of philologists, scientists and language experts to work out a dictionary of scientific terminology for all modern Indian languages. This Board should be a permanent body, and should work in consultation with the Provinces and Universities. The work should be completed within a period of five years. The Central Government may be asked to allot a substantial sum for the purpose so that the work may start immediately.

11. The Central Government should give a lead to the Provinces in getting text-books in science subjects in Federal language prepared which the Provinces may be able to adopt in their own language. Text-books on other subjects should be prepared either by the University or Inter-University Board or the Provincial Government; Central Government should help them out of difficulties by financial assistance.

12. The Central Government should examine in all its bearings the question of extra-territorial jurisdiction of the various Universities in order to help in the solution of the language problem of linguistic minorities within a Province or State.

13. Federal Service examinations may be conducted through the language of the region, but candidates who are accepted by Government should be required to pass a test in the Federal language and to take a further training in that language.

APPENDIX III.

[Vide answer to starred question No. 124 asked by Sri B. Bhima Rao at the meeting of the Legislative Council held on 24th November 1948, page 462 supra.]

GOVERNMENT OF MADRAS.

Education and Public Health Department.

G.O. Ms. No. 404, Education, dated 2nd March 1948.

[Abstract.—Colleges—Aided Colleges—Advisory Committees—Formation of—Orders passed.]

READ—the following :—

From the Director of Public Instruction, dated 12th February 1948, R.C. No. 1265-K/47.

Order—

The Government have had under consideration the question of constituting Advisory Committee for aided colleges, as in the case of Government colleges constituted in G.O. No. 9, Education, dated 3rd January, 1948. They therefore advise the managements

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of aided colleges to constitute an Advisory Committee with the Principal of the College as its Convenor, one representative from the staff, two representatives from parents, two representatives to be nominated by the management out of its donors and helpers and three people to be nominated by the Government. The duties of the committee may be to advise the management on the following :—

- (1) Framing of rules for admission of students consistent with the rules laid down by Government in this regard ;
- (2) opening of new groups of subjects or abolition of old ones ;
- (3) provision of hostel facilities ;
- (4) provision of extra curricular activities in the college ;
- (5) other matters connected with the management and running of the institution ; and
- (6) to help in the maintenance of discipline of the college and generally help the management of the college in all other possible ways.

2. The Director of Public Instruction is requested to communicate these orders to the managements of all aided colleges and ask them to report to him the action taken in the matter. He should submit to Government in December 1948 a report on the action taken by the various institutions in the matter and also on the working of the Committees wherever they have been formed.

TRUTH ALONE TRIUMPHS

G.O. Ms. No. 404, Education, dated 2nd March 1948.

[Admitted—Colleges—Aided Colleges—Advisory Committee—
Formation of—Orders passed.]

From the Director of Public Instruction, dated 15th February 1948, R.C. No. 1268-K-47.

Order—

The Government have had under consideration the report of the Director of Public Instruction, dated 15th February 1948, R.C. No. 1268-K-47.

Order—